



**City Commission Meeting Agenda  
2 Park Drive South, Great Falls, MT  
Commission Chambers, Civic Center  
May 18, 2021  
7:00 PM**

**UPDATES CONCERNING PROCESS OF MEETINGS**

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and City Commission are making every effort to meet the requirements of open meeting laws:

- Effective May 4, 2021 City Commission members and City staff will be attending the meeting in person.
- 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. Please refrain from attending in person if you are not feeling well.
  - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, May 18, 2021, to: [commission@greatfallsmt.net](mailto:commission@greatfallsmt.net). Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.
  - Call-in. The public may call in during specific public comment periods at [406-761-4786](tel:406-761-4786). All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL / STAFF INTRODUCTIONS**

**AGENDA APPROVAL**

**CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS**

**PROCLAMATIONS**

**PETITIONS AND COMMUNICATIONS**

1. Miscellaneous reports and announcements.  
*(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and either your address or whether you are a city resident for the record.)*

## NEIGHBORHOOD COUNCILS

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, May 4, 2021, City Commission Meeting.
6. Total Expenditures of \$2,296,339 for the period of April 22, 2021 through May 5, 2021, to include claims over \$25,000, in the amount of \$1,847,297.
7. Contracts List.
8. Approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc. of Great Falls in the amount of \$787,550.
9. Approve final payment for the Water Treatment Plant Improvements Phase 1 – UV and Chemical Building, Surge Tank, and Electrical Building, to Sletten Construction Company in an amount of \$22,262.13 and \$224.87 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.
10. Set a public hearing for June 1, 2021 to consider the 2020/2021 Tourism Business Improvement District Budget Amendment.

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

## PUBLIC HEARINGS

11. Resolution 10399, Approving an Industrial Development Project proposed by the Great Falls International Airport Authority within the Great Falls International Airport District; approving the application for use of tax increment revenues and tax increment revenue bonds to pay, reimburse or finance the costs of associated infrastructure improvements, making a reimbursement declaration and approving the associated Development Agreement. *Action: Conduct a public hearing and adopt or deny Res. 10399. (Presented by Craig Raymond)*
12. Aim High Big Sky Indoor Aquatic and Recreation Facility – Lions Park.
  - I. Resolution 10400, Approving a conditional use permit to allow a “Indoor Sports and Recreation” land use in the Parks and Open Space (POS) zoning district at the property addressed as 900 29th Street South. *Action: Conduct a joint public hearing and adopt or deny Res. 10400. (Presented by Craig Raymond)*
  - II. Resolution 10402, Resolution to vacate 28th Street South between 8th Avenue South and 10th Avenue South, 9th Avenue South and 9th Alley South between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street



South; and a Non-Administrative plat to aggregate all associated parcels and the rights-of-way to be vacated. *Action: Adopt or deny Res. 10402.*

## **OLD BUSINESS**

## **NEW BUSINESS**

13. Minor Subdivision – Sun River Park Addition addressed as 8 22<sup>nd</sup> Street Southwest and legally described as Lot 3-A1, Block 18, Section 9, T20N, R3E, P.M., Cascade County, Montana

## **ORDINANCES / RESOLUTIONS**

14. Request from Steve Sheffels to vacate 8th Alley South between 7th Avenue South and 8th Avenue South and a conditional use permit on property addressed as 214 7th Avenue South.
- I. Resolution 10404, Resolution of Intention to vacate 8th Alley South between 7th Avenue South and 8th Avenue South. *Action: Adopt or deny Res. of Intent 10404 and set or not set a public hearing for June 15, 2021. (Presented by Craig Raymond)*
  - II. Resolution 10391, to approve a conditional use permit to allow a “Contractor Yard, Type II” land use in the Mixed-use transitional (M-2) zoning district at the property addressed as 214 7th Avenue South. *Action: Set or not set a public hearing for June 15, 2021 to hear Res. 10391.*
15. Resolution 10407 A Resolution by the City Commission of the City of Great Falls, Montana, Amending Resolution 10395, establishing a Crime Task Force to include language pertaining to residency and to increase the number of members from seven to nine. *Action: Adopt or deny Res. 10407. (Presented by Greg Doyon)*

## **CITY COMMISSION**

16. Great Falls Crime Task Force Nominees. *Action: Confirm or not confirm the City Manager's Nominees to the Crime Task Force. (Presented by Greg Doyon)*
17. Appointments to the Great Falls Citizen’s Council. *Action: Appoint two Commissioners to serve on the Great Falls Citizen’s Council for the May 25, 2021 meeting.*
18. Miscellaneous reports and announcements from the City Commission.
19. 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 <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.*

**JOURNAL OF COMMISSION PROCEEDINGS**  
**May 4, 2021**

Regular City Commission Meeting

Mayor Kelly presiding

**CALL TO ORDER:** 7:00 PM

Commission Chambers Room 206

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. Also present were: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Finance Director Melissa Kinzler; Planning and Community Development Director Craig Raymond; Public Works Director Paul Skubinna; Fire Chief Jeremy Jones; Housing Authority Executive Director Greg Sukut; Park and Recreation Director Steve Herrig; City Attorney Sara Sexe; and, Police Chief Jeff Newton.

Public participation is welcome as follows:

- Attend in person. Please refrain from attending in person if you are not feeling well. Masks will be required in the Commission Chambers and the City will be following current COVID-19 directives from the Public Health Officer.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, May 4, 2021, to: [commission@greatfallsmt.net](mailto:commission@greatfallsmt.net). Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. 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.
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**AGENDA APPROVAL:** There were no proposed changes to the agenda by the City Manager or City Commission. The agenda was approved as presented.

**CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS:** None.

**PROCLAMATIONS:** Commissioners Houck and Moe read Missing and Murdered Indigenous Women Awareness Day (May 5, 2021).

**MILITARY UPDATES**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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Due to streaming/technical issues, **Colonel Russell Williford**, Malmstrom Air Force Base, was unable to participate telephonically as scheduled.

**PETITIONS AND COMMUNICATIONS****2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Shyla Patera**, 1013 7<sup>th</sup> Avenue NW, encouraged the City Commission as it gets back to more formal in person meetings to continue electronic and telephonic public participation.

**Daniel Hartzell**, 609 Central Avenue, commented that he considers railroad train whistle/horn blowing during the night and early morning hours noise pollution. He also suggested that the burned building on Central Avenue be re-evaluated for safety reasons.

**NEIGHBORHOOD COUNCILS****3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**BOARDS AND COMMISSIONS****4. APPOINTMENT TO THE PARKING ADVISORY COMMISSION.**

**Commissioner Tryon moved, seconded by Commissioner Houck, that the City Commission appoint Barbara Nutter to the Parking Advisory Commission for the remainder of a three-year term through April 30, 2022.**

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

Appreciation was expressed to Barbara Nutter for her interest in serving on this board.

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

Motion carried 5-0.

**5. APPOINTMENT TO THE PLANNING ADVISORY BOARD/ZONING COMMISSION.**

**Commissioner Robinson moved, seconded by Commissioners Houck and Moe, that the City Commission appoint Pat Green to the Great Falls Planning Advisory Board/Zoning Commission for the remainder of a three-year term through December 31, 2022.**

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

Mayor Kelly noted that the other application received for that position would be kept on file.

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

Motion carried 5-0.

**6. APPOINTMENT TO THE TOURISM BUSINESS IMPROVEMENT DISTRICT BOARD.**

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission appoint Peter Jennings to the Tourism Business Improvement District Board of Trustees for the remainder of a four-year term through June 30, 2023.**

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

Commissioner Tryon recused himself from discussion and vote due to being occasionally hired by Mr. Jennings to play music at his establishment.

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

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

**7. APPOINTMENT TO THE PARK AND RECREATION BOARD.**

**Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission appoint Brenda Keller for a three-year term through December 31, 2023, to the Park and Recreation Board.**

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

Motion carried 5-0.

**8. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Robinson reviewed US Census Bureau PowerPoint slides pertaining to apportionment of the US House of Representatives on the 2020 Census, 2020 Resident Population for the 50 States, the District of Columbia, and Puerto Rico; the Percent Change in Resident Population for the 50 States, the District of Columbia, and Puerto Rico: 2010 to 2020; and Apportionment/Population Map. Montana earned a second House of Representative member. A redistricting committee will be working on dividing the State of Montana into two districts.

Appreciation was expressed to Commissioner Robinson and the Complete Count Committee.

**CITY MANAGER**

**9. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon provided updates on the following:

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Aim High Big Sky Recreation Center (OF 1770) – the design team and consultant will be meeting next week to finalize some of the pool features including architectural, mechanical and civil items. The City's consultant, L'Hereaux Page Werner, will update Malmstrom Air Force Base (MAFB) representatives regarding progress and to make sure the needs of MAFB will be met. A growing concern amongst the team is the cost of materials.

Agenda items 20 and 21 relate to financing this project. Even though the City is in receipt of a legal opinion that the City followed the process appropriately, but is awaiting a response from the Office of Economic Adjustment pertaining to a complaint that was filed against the City regarding the procurement of L'Hereaux Page Werner, he recommended that the Commission move forward with those two items. If adopted, the Ordinance does not go into effect for 30-days and he is hopeful a response will be forthcoming before then. If there is an issue, the City can put the brakes on the project and will not be financially committed.

The City hired Jeff Hindoien as the new Deputy City Attorney. He has extensive public sector legal experience working at the State level and was the former City Attorney for Helena.

The Deputy City Manager, Human Resources Director, and Department leadership team have been working through the collective bargaining process for the past month. The center of conversations has revolved around health care.

The first public discussion regarding potential utilization of CARES/ARPA funds will occur at the next Commission meeting. He provided proposed guidelines to the Commission, and would like the Commission to let him know if they agree with using the guidelines as a prioritization methodology.

He continues to meet weekly with members of the School District, Chamber of Commerce, Great Falls Development Authority, and Congressional representatives to keep track of what each respective entity is hearing with regard to use of those funds, and to make sure no one is stepping on the others' toes. There is a strong desire to work collaboratively to fully maximize use of those funds for the community.

Manager Doyon requested that the Commission consider his request to hire a grant administrator during Agenda Item 23. The intent is to hire a person to help the City navigate the next several years of implementing the CARES Act and ARPA money, but also to keep that person on board afterwards to procure, administer and maintain grants for the City.

The last two City 101 sessions are scheduled for May 19 and June 16, 2021.

Commissioner Robinson inquired about the lighting in the new Aim High Big Sky facility.

Manager Doyon responded that the architect is a Leed certified professional and will bring in those elements to the extent possible.

**CONSENT AGENDA.**

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10. Minutes, April 20, 2021, City Commission Meeting.
11. Total Expenditures of \$2,004,515 for the period of April 8, 2021 through April 21, 2021, to include claims over \$25,000, in the amount of \$1,537,444
12. Contracts List.
13. Award a contract in the amount of \$166,574 to Shumaker Trucking & Excavating Contractors, Inc., for the 22nd Avenue South Detention Pond Upgrades, and authorize the City Manager to execute the construction contract documents. **OF 1554.7**
14. Approve the 2020/2021 Community Development Block Grant - CV Agreement by and between the City of Great Falls and Community Health Care Center d/b/a Alluvion Health in the amount of \$185,725 for the purchase of a Mobile Medical Clinic to provide public services such as vaccination distribution, COVID testing, and other health related services in response to the current Coronavirus Pandemic.
15. Approve the 2020/2021 Community Development Block Grant Agreement by and between the City of Great Falls and the Great Falls Housing Authority in the amount of \$300,000 for the existing elevator modernization at Austin Hall.

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

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

Commissioner Houck referred to Item 15 and commented that she previously lived close to Austin Hall and never recognized that it was low-income housing. Austin Hall is in need of the elevator and it is a good way to utilize the money.

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

Motion carried 5-0.

**PUBLIC HEARINGS****16. CDBG & HOME GRANT/COMMUNITY NEEDS PUBLIC HEARING.**

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



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Planning and Community Development Director Craig Raymond reported that this public hearing provides an opportunity for the community to provide testimony related to observed needs in the community that the City could address through targeted specific CDBG and HOME funding. The City Commission will not take action tonight as the information being gathered will be compiled by staff and brought to the Commission along with other input received through the Citizen Participation Plan. Staff will also bring forward specific recommendations on possible funding strategies at the appropriate time after citizen participation is concluded.

As part of our obligation as recipients of CDBG and HOME monies the City is required to conduct this hearing in order to provide an opportunity for the community to express to the City Commission and staff what needs exist in the community that the City may address through the CDBG and HOME programs. This information is important to consider when the Commission makes decisions on funding priorities.

Mayor Kelly asked if the Commission members had any clarifying questions.

Hearing none, Mayor Kelly asked if there were any comments from the public.

**Shyla Patera**, 1013 7<sup>th</sup> Avenue NW, and on behalf of Northcentral Independent Living Services, 1120 25<sup>th</sup> Avenue NE, commented that she is excited about the opportunities that the CARES Act and ARPA funding may create to supplement annual allocations of CDBG & HOME funds. A priority to look at now and put forth in policies is to ensure that accessibility and affordability are a reality for many community members. She discussed several issues people experienced during the pandemic. Now is the time for a balanced discussion about the community infrastructure including the effective use of motorized chairs on sidewalks, curb cuts and streets. A huge influx of accessible and affordable housing is needed for everyone. This may provide an opportunity to talk to HUD about getting more vouchers or opportunities for home ownership. She urged the Commission to have this discussion. She is proud that the Commission is looking at opportunities for the Crime Task Force and things that will enhance public safety, but if housing and community accessibility isn't looked at, a big piece of the puzzle is being left out.

Ms. Patera also offered her assistance with accessibility planning for the Aim High Big Sky facility.

**Sherrie Arey**, City resident, Executive Director, NeighborWorks Great Falls, commented that the pandemic has shaken the community to its core. Housing is extremely limited in both homes to purchase and apartments to rent causing the housing affordability issues to be even more difficult. The overall supply of homes and access to homes people can afford needs to be increased. The funds provided in CDBG and HOME grants can be used strategically in a variety of different ways by a variety of different agencies to address homelessness, permanent supportive housing, multi-family production and preservation, home ownership education, down payment assistance, rehab loans and grants, blight removal and infill, and new home construction. The key is to ensure that all eligible items are in the Action Plan to give maximum flexibility to those seeking funds to address these critical issues. Being flexible with these funds will allow for creative grants, and promote production, preservation, access and investment. The window of opportunity to help is now through CDBG funds. Annual CDBG funds come with more flexibility and less restrictive uses. She urged the City of Great Falls to join this call to action to help address housing insecurity, increase the number of homes people can afford, help with homelessness, and give those in need

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of workforce housing, permanent supportive housing and home ownership the opportunity to prosper and thrive in this community.

Ms. Arey requested that the City make the grant funds the most flexible by including housing into the Consolidated Annual Action Plan for CDBG funds.

**Thomas Risberg**, 2019 2<sup>nd</sup> Avenue SW, on behalf of Alliance for Youth, thanked the Commission for prioritizing youth homelessness and mental health in the 2020/2021 plan. He suggested focusing on root causes going forward when setting priorities for the coming year. The latest statistics indicate that there are 609 children in foster care in Cascade County. Since 2015, that number has doubled. He encouraged the Commission to invest in things that have a high return on investment. By fundamentally changing these kids' life trajectory, the City will benefit for decades to come. Mr. Risberg reported that 70% of children removals from homes is due to substance abuse by parents and guardians. Meth in particular is truly in epidemic proportions. To be proactive folks in recovery need hope and connection. He urged the Commission to prioritize substance abuse that is not looking at acute care. If people continue to be cycled through hospitals and jails it will not change the root cause. He suggested getting on the front end of prevention with youth and creating a vibrant recovery community that does not have an end date. In conclusion, he emphasized the importance of youth and, in particular, things that can be done for foster youth and those aging out of foster care, and for substance abuse. Kids are being removed due to parental substance abuse. Both ends need to be worked on – helping the youth and helping the parents struggling with addiction that is driving the foster care numbers up.

**Brett Doney**, Great Falls Development Authority, commented in his professional opinion, the CDBG program is fundamentally broken, and that Harvard has done studies on it. He suggested working through the National Community Development Association, which is the association for entitlement communities. In the past, the Commission has tried to spread the money into many different things. The way HUD is operating now it is difficult to do that many grants. He suggested doing one or two major projects per year. Hiring a grant writer is one of the best investments that can be made. He thinks Great Falls can do a better job at going after money. Housing is a huge challenge right now. He would like to get back to the level of annual housing production that NeighborWorks used to do – 10 sweat equity homes and 10 homes using the CDBG grants to fill the gaps.

Written communication was received from: **Sheila Rice**, 913 3<sup>rd</sup> Avenue North, in support of workforce housing, and proactively creating roads, storm drainage, and water and sewer connections with CDBG, HOME and ARPA funding to provide lots for new construction; **Deborah Kottel**, on behalf of St. Vincent de Paul, Homeless Outreach and Grace Home Transitional Housing for Homeless Veterans, **Gary Owen**, President, United Way of Great Falls, **Sandi Filipowics**, Executive Director, YWCA Mercy Home, **Nicholas Toyne**, Manager, Grace Home Veterans Center, **Cari Yturri**, Executive Director, Family Promise of Great Falls, in support of housing being added into the City of Great Falls Consolidated Plan and Annual Action Plan for CDBG; **Alison Paul**, Executive Director, Montana Legal Services Association (MLSA), urging the Commission to take notice of the impact civil legal aid has on the root causes of homelessness, and in support of changes to the structure of the CDBG public services grants in order to make it easier for public service projects like those offered by MLSA, including paying for non-profit staff salaries and benefits, to be funded.

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

Commissioner Moe referred to Alison Paul's written comments suggesting CDBG funding be provided for legal services given the issues of eviction that have exacerbated during Covid, but have always been an issue. She suggested it is worthy of the Commission exploring.

Commissioner Houck would like to explore with the public or private sectors razing/demolishing blighted property, or properties that have things that need to be removed to be sold and/or redeveloped. Often the cost of removal of debris or a building is cost prohibitive to the property owner. Infill of development does not strain City resources and can build up the tax base.

Commissioner Tryon inquired if Mr. Doney could provide the Harvard study information he referenced with regard to the CDBG program challenges, and was responded to in the affirmative.

17. **RESOLUTION 10398, REQUEST FROM STSA PARTNERS TO USE DOWNTOWN URBAN RENEWAL DISTRICT TAX INCREMENT FINANCING (TIF) FUNDS FOR THE COST OF CONSTRUCTION OF TEMPORARY SIDEWALK AND RECONSTRUCTION OF A PUBLIC SIDEWALK AND CURB OF THE NEWBERRY EVENT & CONCERT HALL FOR THE BUILDING ADDRESSED AS 420 CENTRAL AVENUE; AS WELL AS CONSIDERATION OF ALTERNATIVE RESOLUTION 10398, WHICH REFLECTS THE APPLICANT'S FULL REQUEST.**

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

Planning and Community Development Director Craig Raymond reported that STSA Partners is proposing a renovation project of the existing building located at 420 Central Avenue for the development of a medium scale event and concert hall facility called the Newberry. The owners' intent is to host over 90 events and bring over 60,000 people to downtown Great Falls each year. The applicant has chosen to apply for TIF funding in addition to a previously awarded tax abatement to offset some of the redevelopment costs for the project.

As with any TIF request, staff evaluates the application for conformance to not only state statute regarding TIF regulations but also the adopted TIF plan of the district (in this case the downtown urban renewal area) and the general review criteria adopted by the City Commission.

Aside from perhaps the consideration of whether projects should be eligible for both tax abatements and TIF allocations, the project would be a strong candidate under the general review criteria that the Commission should consider when evaluating any TIF request. Portions of the application related to the fire suppression system, structural repair of the building, ADA compliance and roof repair are not supportable under the current adopted Urban Renewal Plan that is required under state statute.

Director Raymond reminded the Commission that staff is working on final drafts of an amended downtown urban renewal plan that, if approved, will vastly expand what type of activities and projects may be eligible for TIF reimbursement.

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In full consideration of all related regulations and requirements, there are aspects of this project that can and should be supported by TIF funds. It is a great, exciting project that will have a lasting positive impact on the downtown core.

Director Raymond concluded that the requested action is that the City Commission adopt Resolution 10398 approving up to \$9,100 in Downtown Urban Renewal District TIF funds for construction of a temporary sidewalk, construction of a permanent sidewalk and curb for the Newberry Event and Concert Hall.

Mayor Kelly asked if the applicant was present and wished to make any additional comments.

**Scott Reasoner**, Applicant and City resident, requested that the Commission take a hard look at approving the entire application, and that has the support of the Downtown Development Partnership (DDP). Under state law, the Commission is able to fund this project in full as presented. It does not fit the current guidelines set forth in the Urban Renewal Plan for Downtown but, as Director Raymond mentioned, that is being worked on. Commissioner Houck just addressed the need to address blight, infill and increase the tax base. This is a project that does all three of those things. There is no area that generates more taxes per square foot than downtown, which is about 19-24 times the square foot tax rate of a Walmart or a large 10<sup>th</sup> Avenue building.

Approval of the TIF funds makes it more likely that the project succeeds. It provides extra breathing room in their debt. It will make a difference in payments that will allow extra staff to be hired now rather than in three or five years.

Mayor Kelly asked if the Commission members had any clarifying questions.

Commissioner Tryon inquired why wouldn't the Commission approve the full request. Staff indicated there is a reason the Commission cannot do that, and Mr. Reasoner indicated the Commission could fund the full amount. He also inquired if the Commission approved the \$9,100 amount, could the Commission approve the remainder of the request retroactively after the plan is amended.

Director Raymond responded that, per state statute, the full amount is supported under a plan or program that is adopted by the Commission. The current plan, as it is today, does not support the full request. The applicants could apply for more funds in the future, but would need to comply with bidding statutes and prevailing wage rate requirements for those additional items.

Commissioner Tryon inquired why then was the Alternative Resolution presented for Commission consideration if the Commission cannot vote on it.

City Attorney Sexe responded that the Commission has set forth rules in its Downtown Urban Renewal Plan as to what would qualify. Outside legal counsel has indicated that the additional \$166,000+ would be for items that, under the current Downtown Urban Renewal Plan, do not qualify. It does not mean it is not a good benefit to downtown Great Falls. The problem is the Commission has set forth rules and if the Commission does not abide by those rules and were to put the cart before the horse it could set the City up for issues down the road and challenges with regard to funding this situation and future projects. Staff's recommendation is to proceed with

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those items that are specifically allowed under the Downtown Urban Renewal Plan, go through the public process of amending the Downtown Urban Renewal Plan to include some of these items that are missing, and then consider the additional requested funding in a different application.

Commissioner Tryon inquired about the timeframe for staff to bring forth the plan amendment for Commission consideration.

Director Raymond responded that the plan amendments would come before the Commission within the next couple of months for a public hearing.

Mayor Kelly asked if there were any comments from the public in support of Resolution 10398.

**Brett Doney**, Great Falls Development Authority (GFDA), spoke in favor of the developer's entire requested amount. He disclosed that GFDA has issued loan commitments for this project totaling \$316,420. GFDA is attempting to use a portion of the City's CDBG revolving loan fund for a portion of that amount. Mr. Doney indicated he was concerned about the proposed program because he opined it is not designed for catalytic projects downtown, noting the cap for 15 years for a single property under the proposed program is \$85,000. He encouraged the Commission to add that catalytic component to the program for projects downtown.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10398.

Hearing none, Mayor Kelly asked if staff or the applicant wanted to respond to any of the comments.

**Scott Reasoner**, applicant, commented that if the full amount requested was approved, the applicants would forego the tax abatement that was previously approved, which is similar to other Montana city processes.

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

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10398 approving STSA Partners' application for use of up to \$9,100 in Downtown Urban Renewal District Tax Increment Financing (TIF) funds and approve the Development Agreement for construction of temporary sidewalk and reconstruction of a public sidewalk and curb of The Newberry Event & Concert Hall for the building addressed as 420 Central Avenue.**

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

With regard to the comment about the \$85,000 cap for projects, Mayor Kelly noted that there is a clause in the plan that for extraordinary projects the Commission has the privilege to expand those dollars going forward.

Director Raymond concurred. The Commission has discretion in the plan for unique projects with special opportunities that could exceed those caps.

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Mayor Kelly concluded that he is hesitant to go against bond counsel's advice who is well versed in TIF funding. He is in favor of staff's recommendation. He encouraged the applicants to be patient while the public process takes place to amend the plan and then come back with a funding request for the Commission to consider the merits of the additional funds.

City Clerk Lisa Kunz reported that there is a delay in this evening's live streaming and there is now a caller in the queue.

City Attorney Sara Sexe advised Mayor Kelly to reopen the public hearing for this portion only due to these unusual circumstances.

Mayor Kelly reopened the public hearing.

**Shane Etzweiler**, President/CEO, Great Falls Area Chamber of Commerce, 100 1<sup>st</sup> Avenue North, telephonically spoke in support of the TIF application and recommended that the Commission consider the full amount.

Mayor Kelly closed the public hearing.

Commissioner Houck expressed concern that not following the current rules in place puts this and future projects in jeopardy. The project is amazing and is an extraordinary opportunity that is coming to Great Falls. Not only is it about blight and redevelopment, but additional full-time employees downtown, and 90 events yielding 60,000 people downtown. Commissioner Houck concluded that the Commission is not saying no to the entire package, it is just saying no at the timing. She encouraged the applicants to stay engaged and come back to the Commission.

Commissioner Robinson noted his support for the project, and that he is in favor of getting updates on what the Commission can and cannot do with TIF funds. It is important to do it correctly in the right order. He supports the motion, but encouraged staff to make the plan amendments a high priority that will help this project and other potential future downtown projects.

Commissioner Tryon noted that he would have preferred the alternative motion, and agreed with the need to revisit this as soon as possible. This is the exact kind of project that is needed for Great Falls.

Commissioner Moe noted the amount requested in the motion is embarrassingly small given the ambition and the aspirations of the project, but the Commission does need to stick with its own rules. She has nothing but great excitement for the project itself.

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

Motion carried 5-0.

18. **ORDINANCE 3227, AMENDING TITLE 5, CHAPTER 2, SECTION 010 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO SAFETY INSPECTION CERTIFICATES.**



**JOURNAL OF COMMISSION PROCEEDINGS****May 4, 2021**

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

City Attorney Sara Sexe reported that Great Falls Fire Rescue (GFFR) has identified a need to have a more efficient way of ensuring that the businesses in the community renew their Safety Inspection Certificates and have a more effective enforcement tool. The Fire Prevention Bureau (FPB) would like to have a more efficient means to enforce outstanding delinquent Safety Inspection Certificate (SIC) fees. The proposed changes include the addition of Section G., allowing the City to refer businesses to collections, and updated language to replace the reference to “Uniform Safety Codes.”

Fire Chief Jones added that the FPB has limited staff. There are currently 130 delinquent businesses in town. The current process places a bigger burden on the legal department to write letters and cause to have summons issued. Adoption of Ordinance 3227 will allow the GFFR to be more efficient in its collection efforts, and provide more man-hours for code enforcement safety issues in the community.

Mayor Kelly asked if the Commission members had any clarifying questions.

Hearing none, Mayor Kelly asked if there were any comments from the public in support of or in opposition to Ordinance 3227.

Hearing none, Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Tryon moved, seconded by Commissioner Moe, that the City Commission adopt Ordinance 3227.**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**19. RESOLUTION 10392, AMENDING SECTION (4) C OF RESOLUTION 10375 ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY’S PARKING SYSTEM.**

Mayor Kelly declared the public hearing open and asked for presentation of the staff report. Planning and Community Development Director Craig Raymond reported that in November, 2020, the City Commission adopted Resolution 10375 which provided for various changes to the parking program fees. The Commission also approved the purchase of parking enforcement equipment and software. Recently, as staff was working with the software vendor on configuration of the program, the vendor recognized that the City provides incentives to those monthly permit holders who purchase annual permits as opposed to month-to-month permits. The original contract with Passport Labs, Inc. and corresponding fee Resolution 10375 did not account for this. Passport Labs, Inc. has offered a generous fee incentive for annual permit purchasers, which represents a

**JOURNAL OF COMMISSION PROCEEDINGS****May 4, 2021**

significant savings to annual permit customers. Instead of a \$2.50 monthly fee for monthly permit holders, annual permit holders will be charged \$4.00 or \$.33 monthly for the annual permits.

Mayor Kelly asked if the Commission members had any clarifying questions.

Commissioner Robinson inquired if staff could communicate the program to the public, and was responded to in the affirmative.

Mayor Kelly inquired if retroactive payments could be paid back to people who paid in advance, and was responded to in the affirmative.

Mayor Kelly asked if there were any comments from the public in support of or in opposition to Resolution 10392. Hearing none, Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Moe moved, seconded by Commissioners Robinson and Tryon, that the City Commission adopt Resolution 10392.**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**20. ORDINANCE 3228, ESTABLISHING AUTHORITY TO LEVY ASSESSMENTS TO PAY COSTS OF CITY OF GREAT FALLS PARK DISTRICT NUMBER 1. (OF 1740/1770)**

Finance Director Melissa Kinzler reported that at the June 16, 2020, work session, the City Commission was presented a proposal that would allow the City to receive matching funds from the Office of Economic Adjustment for a \$20,000,000 indoor recreation and aquatic facility. The City was short-listed and submitted the grant application on August 26, 2020. The City received notification on September 18, 2020, that the grant was awarded. On October 6, 2020, Resolution 10371 was adopted by the City Commission allowing the reimbursement by bond proceeds for costs that have occurred prior to the bond issuance.

Ordinance 3228 is the next step in issuing the revenue bonds to cover the \$10,000,000 match for the new Aim High/Big Sky Recreation Facility. The ordinance establishes authority to levy assessments to pay costs of the City of Great Falls Park District Number 1 including revenue bonds for the design, construction, and furnishing of a recreation and aquatic facility.

**Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission adopt Ordinance 3228 on second reading.**

# JOURNAL OF COMMISSION PROCEEDINGS

May 4, 2021

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

Mayor Kelly commented that this is a needed process for revenue bond documentation and is a standard process for revenue bonds for investors to know specifically where the money is coming from.

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

Motion carried 5-0.

21. **RESOLUTION 10406, AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE OF UP TO \$10,000,000 SPECIAL PARK DISTRICT BONDS, SERIES 2021 (TAXABLE), SUBJECT TO THE TERMS AND LIMITATIONS SET FORTH HEREIN; AND AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO ENTER INTO A BOND PURCHASE AGREEMENT WITH RESPECT THERETO. (OF 1740/1770)**

Finance Director Melissa Kinzler reported that Resolution 10406 authorizes the issuance and private negotiated sale of up to \$10,000,000 Special District Bonds, Series 2021 (Taxable) revenue bonds, subject to the terms and limitations set forth in the resolution for the design, construction, and furnishing of a recreation and aquatic facility.

The City Manager and Finance Director along with Dorsey & Whitney, LLP, the City's bond counsel, will work to establish the appropriate terms, conditions, and documentation for the sale of the Bonds. The purchase price, redemption features, and interest rate on the Bonds will be subject to the following conditions and limitations:

- (1) the aggregate principal amount of the Series 2021 Bonds shall not exceed \$10,000,000;
- (2) the maximum true interest cost on the Series 2021 Bonds shall not exceed 4.00%;
- (3) the purchase price of the Series 2021 Bonds shall not be less than 99.4% of the principal amount thereof, exclusive of original issue premium or discount; and
- (4) the final maturity of the Series 2021 Bonds shall not be later than 17 years from the date of issuance.

Upon final approval of the interest rate, purchase price, and other terms and conditions of the sale of the Bonds, the City Manager, Finance Director or the Deputy City Manager, in the absence or unavailability of either, shall be authorized to enter into and execute a Bond Purchase Agreement on behalf of the City. The form of the Bonds and the final terms and conditions will be brought before the City Commission under a separate resolution for final approval. Adoption of this resolution does not obligate the City to issue bonds. Resolution 10406 sets the parameters. No additional action can be taken until the effective date of Ordinance 3228.

The fiscal impact of issuing \$10,000,000 of revenue bonds is estimated to be an average debt service of \$722,753 to \$729,107 per year, depending on final interest rates, through Fiscal Year 2038 in the Great Falls Park District No. 1. Current interest rates are favorable for the City. All

**JOURNAL OF COMMISSION PROCEEDINGS****May 4, 2021**

bond proceeds will be deposited into the construction account to maximize bonding capacity towards construction. The cost of issuing the bonds will be paid from the City's undesignated General Fund balance or other available recreation funds, not from the Park District.

The bonds will be issued as taxable bonds due to the extensive control over the facility pursuant to the Office of Economic Adjustment (OEA)/Office of Local Defense Community Cooperation (OLDCC) terms and conditions. This level of control results in private business such that bond counsel could not give a legal opinion that the bonds would be tax-exempt. The burden of tax-exempt bonds would also limit the City's ability to use the recreation and aquatic facility in a myriad of ways. Tax-exempt bonds would limit private events, naming rights with respect to donations, hiring third parties to manage the facility, concessions, and swimming lessons run by third parties.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10406.**

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

**Brett Doney**, Great Falls Development Authority (GFDA), noted GFDA's support of the project and urged the Commission's favorable vote.

Commissioner Tryon commented that Resolution 10406 sets forth that the debt service is not included in the bond issuance.

City Manager Doyon responded that, to keep the project at \$20,000,000, staff is asking the Commission to allow the use of undesignated funds to pay finance fees associated with bond issuance. He expressed concern about the rising costs having an effect on the project.

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

Motion carried 5-0.

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

Mayor Kelly announced that Peloton added a 15-minute ride along the River's Edge Trail in Great Falls, Montana, to its tours.

Commissioner Houck added that if you experience problems with your Peloton on a ride, when you call for service it gets fixed in Great Falls, Montana.

**Brett Doney**, City resident, added that Peloton is so pleased with the workforce in Great Falls, that they told FCR that they would only allow Great Falls employees at FCR to service Pelotons.

Commissioner Houck announced that she does not want the Commission to lose sight of the fact that many people in the community are unable to physically attend Commission meetings for a

**JOURNAL OF COMMISSION PROCEEDINGS**  
**May 4, 2021**

myriad of reasons, including accessibility issues, but follow along on the various broadcasts. She encouraged the continuation and strengthening of the means for public comment. She also expressed appreciation to Manager Doyon and staff for the flexibility and accomplishments during Covid, and being part of this team.

**23. COMMISSION INITIATIVES.**

Mayor Kelly referred to Manager Doyon's request about hiring a grant manager. After discussion, it was the consensus of the Commission for Manager Doyon to move forward with this new hire as soon as possible.

**24. LEGISLATIVE INITIATIVES.**

Mayor Kelly commented that Legislative Initiatives could be taken off the agenda.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Commissioner Tryon, to adjourn the regular meeting of May 4, 2021, at 9:09 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

**Minutes Approved: May 18, 2021**



Commission Meeting Date: May 18, 2021  
**CITY OF GREAT FALLS**  
**COMMISSION AGENDA REPORT**

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

**PRESENTED BY:** Finance Director

**ACTION REQUESTED:** Approval with Consent Agenda

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

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

ACCOUNTS PAYABLE CHECK RUNS FROM NEW WORLD APRIL 22, 2021 - MAY 5, 2021	633,851.45
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS APRIL 22, 2021 - MAY 5, 2021	1,556,231.63
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 24, 2021 - APRIL 30, 2021	106,255.84

TOTAL: \$ 2,296,338.92

**GENERAL FUND**

**FIRE**

BENEFIS	BENEFIS WELLNESS EXAMS	47,302.00
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**SPECIAL REVENUE FUND**

**PARK DISTRICT**

ADVANCED LAWN AND CARE AND MAINTENANCE LLC	IRRIGATION UPGRADE OF #1740	93,522.14
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**CAPITAL PROJECTS**

**GENERAL CAPITAL**

360 OFFICE SOLUTIONS	FIRST HALF FINANCE FURNITURE	33,858.29
WADSWORTH BUILDERS COMPANY INC	FINANCE OFFICE REMODEL	52,768.29

**DOWNTOWN TID**

DORSEY & WHITNEY LLP	CIVIC CENTER BOND CLOSING	40,000.00
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**ENTERPRISE FUNDS**

**PARKING**

PASSPORT LABS INC	LICENSE PLATE RECOGNITION SOFTWARE PARKING	29,291.50
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**INTERNAL SERVICES FUND**

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**HEALTH & BENEFITS**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	EMPLOYEE INSURANCE DEDUCTIBLES AND PREMIUMS	910,016.30
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**CENTRAL GARAGE**

BILLION DODGE CHRYSLER JEEP	4X4 SUV MIDSIZE DRUG TASK FORCE UNIT #3	29,073.00
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**TRUST AND AGENCY**

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**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	96,427.82
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**PAYROLL CLEARING**

STATE TREASURER	MONTANA TAXES	77,103.84
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	52,077.07
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	67,886.48
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	123,263.09
US BANK	FEDERAL TAXES, FICA & MEDICARE	194,707.49

**CLAIMS OVER \$25000 TOTAL:**

\$	<u>1,847,297.31</u>
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**CITY OF GREAT FALLS, MONTANA****COMMUNICATION TO THE CITY COMMISSION****DATE: May 18, 2021**

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

**PRESENTED BY:** Lisa Kunz, City Clerk

**ACTION REQUESTED:** Ratification of Contracts through the Consent Agenda

**MAYOR' S SIGNATURE:** \_\_\_\_\_

**CONTRACTS LIST**

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
<b>A</b>	Park & Recreation	Missouri River Trucking and Excavating, Inc. (MRTE)	05/18/2021 – 11/28/2021	\$74,580	Public Works Construction Agreement for the Grande Vista Park Trail Overlay and Playground Connector project <b>OF 1737.5</b>
<b>B</b>	Public Works – Engineering	Kuglin Construction	05/18/2021- 12/31/2021	\$27,915	Public Works Construction Agreement for the West Hill Storm Drain Improvements – Phase 2 Project consisting of grading 460 feet of storm water ditch to convey storm water to the City's storm water system. The project will reduce standing water and improve flow into the existing City infrastructure. <b>OF 1752.1</b>

C	Planning & Community Development	<p>Benefis Health System, Inc.</p> <p>and</p> <p>Montana Department of Transportation</p>	05/18/2021-05/18/2031 and will renew automatically for successive one year terms	Developer shall pay all costs associated with necessary approvals and permits necessary to complete the work in the public right-of-way	<p>Assumption Agreement</p> <p>and</p> <p>City/State Memorandum of Agreement 10<sup>th</sup> Avenue South/N-60N, Great Falls</p> <p>The agreements set forth the respective responsibilities and duties of the parties associated with the installation and maintenance of signs, sidewalk, curb, landscaping and irrigation equipment to accomplish safe pedestrian traffic and travel at a Women and Children's Center Healthcare Business, 2720 10<sup>th</sup> Avenue South</p>
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Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Asphaltic Concrete Material

**From:** Kenny Jorgensen, Street Division Manager

**Initiated By:** Public Works Department

**Presented By:** Paul Skubinna, Public Works Director

**Action Requested:** Approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc. of Great Falls in the amount of \$787,550

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/not approve) the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc. of Great Falls for \$787,550.”

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

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**Staff Recommendation:** Staff recommends that the City Commission approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$787,550.

**Background:**

Purpose

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

Evaluation and Selection Process

The specifications were advertised two times in the Great Falls Tribune; mailed to three prospective bidders and advertised on the City of Great Falls website. The bids were opened on May 5, 2021. There were three responsive bids.

Along with price per ton numbers staff calculates a mileage factor: calculations are figured using the miles from the City Shop to the manufacturer source. MRTE is 1.8 miles, Great Falls Sand & Gravel is 3.3 miles, and United Materials is 7.3 miles. Great Falls Sand & Gravel submitted the low bid.

See table:

**Mileage Factor:** 14,000 tons \$.21 per ton = \$2,940 x \_\_\_\_ miles

<b>Bidder</b>	<b>Type B</b>	<b>Type C</b>	<b>Mileage Factor</b>	<b>Total Bid</b>
<b>Great Falls Sand &amp; Gravel</b>	<b>\$618,200</b>	<b>\$169,350</b>	<b>\$ 9,702</b>	<b>\$797,252</b>
<b>United Materials</b>	<b>\$649,000</b>	<b>\$184,500</b>	<b>\$21,462</b>	<b>\$854,862</b>
<b>MRTE, Inc.</b>	<b>\$671,000</b>	<b>\$190,500</b>	<b>\$ 5,292</b>	<b>\$866,792</b>

#### Conclusion

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

**Fiscal Impact:** The current bid price from Great Falls Sand & Gravel is \$56.20 per ton for MPWSS Type B and \$56.45 per ton for MPWSS Type C. The contracted price for asphaltic concrete in FY 2021 was \$53.00 per ton for MPWSS Type B and \$54.00 per ton for MPWSS Type C. The total bid price difference from last year is an increase of \$42,550 or +5.7%. Funding for this year's purchase of asphaltic concrete is in the proposed FY 2022 Street Maintenance Budget.

**Alternatives:** The City Commission could vote not to approve the bid award for asphaltic concrete material.

**Attachments/Exhibits:** Bid List, Bid Tab

## ASPHALTIC CONCRETE MATERIAL BID LIST

1. GREAT FALLS SAND & GRAVEL  
P.O. BOX 1989  
GREAT FALLS, MT 59403
  
2. UNITED MATERIALS  
P.O. BOX 1690  
GREAT FALLS, MT 59403
  
3. MRTE, INC  
3115 RAINBOW DAM RD  
GREAT FALLS, MT 59405



CITY OF GREAT FALLS  
PO BOX 5021  
GREAT FALLS MT 59403

**ASPHALTIC CONCRETE MATERIAL**

Project Number  
Bids Taken at Civic Center  
Date: May 5, 2021  
Tabulated By: Debbie Kimball  
Page 1 of 1

Agenda #8.

<b>NAME &amp; ADDRESS OF BIDDER</b>	<b>Bid Security</b>	<b>Affidavit of Non- Collusion</b>	<b>MPWSS Type B Cost per Ton Total-11,000 Tons</b>	<b>MPWSS Type C Cost per Ton Total-3,000 Tons</b>	<b>Total Bid</b>	<b>Site of Manuf. Source</b>	<b>Miles to City Shop</b>
<b>Great Falls Sand &amp; Gravel, Inc.</b>	√	√	<b>\$56.20 \$618,200</b>	<b>\$56.45 \$169,350</b>	<b>\$787,550</b>	<b>GF Sand &amp; Gravel</b>	<b>3.3 miles</b>
<b>United Materials of Great Falls, Inc.</b>	√	√	<b>\$59.00 \$649,000</b>	<b>\$61.50 \$184,500</b>	<b>\$833,500</b>	<b>McIver Ranch Pit</b>	<b>7.3 miles</b>
<b>MRTE, Inc.</b>	√	√	<b>\$61.00 \$671,000</b>	<b>\$63.50 \$190,500</b>	<b>\$861,500</b>	<b>MRTE, Inc.</b>	<b>1.8 miles</b>



Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Final Payment: Water Treatment Plant Improvements Phase 1 – UV and Chemical Building, Surge Tank, and Electrical Building, O.F. 1519.6

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Paul Skubinna, PE, Public Works Director

**Action Requested:** Approve Final Pay Request

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/not approve) final payment for the Water Treatment Plant Improvements Phase 1 – UV and Chemical Building, Surge Tank, and Electrical Building, to Sletten Construction Company in an amount of \$22,262.13 and \$224.87 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.”

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

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**Staff Recommendation:** Approve Final Payment Request.

**Summary:**

Major improvements to the Water Treatment Plant (WTP) were implemented with this construction contract to replace aging electrical gear, improve the plant’s chemical feed systems, and install an Ultra Violet (UV) treatment unit required to comply with new Environmental Protection Agency (EPA) surface water treatment regulations.

The following is a brief description of some of the Phase 1 Improvements to the WTP:

- Replaced the aging main electrical switch gear;
- Constructed a new building for the new ammonia feed system and the UV disinfection system;
- Demolished the old seasonal clear well;
- Installed a new 600,000 gallon surge tank;

These improvements help the City meet the new EPA permit requirements and provide the City with the ability to quickly adapt to future permit requirements. Also, the new UV system ensures that the City is able to comply with the Long Term 2 Enhanced Surface Water Treatment Rule (LT2).

**Background:**

The City contracted with Black and Veatch to complete the design and to provide construction oversight of the WTP Improvements Project. City Public Works Engineering Staff provided construction contract oversight and construction administration. City Water Plant Staff worked closely with the construction contractor to coordinate many of the construction items.

During the design process, results from a separate filter study indicated that the City would be required to install UV treatment in order to meet the LT2 Rule. The addition of the UV treatment significantly altered the original scope of the Phase 1 Improvements project. Due to the large cost associated with the UV treatment system, only half of the WTP electrical switchgear was constructed in this phase and the new administration building and new Northwestern Energy substation were included as additive alternatives as part of the bid.

The City received two bids that were opened on May 18<sup>th</sup>, 2016. Sletten Construction Company provided the low base bid. Sletten's base bid was under the City's planned budget of 25 million dollars for the project, but did not leave funding for the two alternative bid items. The City elected to not award either of the bid alternatives and will likely bid these as separate projects in the future. The final project cost is \$25,420,835.04 which is \$13,094.96 less than the final approved contract amount of \$25,433,930. The project cost savings are associated in part to effective and comprehensive negotiations by City Staff with respect to project costs. The City provided Notice to Proceed to Sletten on October 17, 2016, and Substantial Completion was recognized on November 5, 2018.

**Conclusion:**

City Staff have verified that all work punch list items have been completed and that minor repairs to recently disturbed sod will be completed in May 2021. Therefore, City Staff recommends making the final payment of \$22,262.13 to Sletten Construction Company and \$224.87 to the State Miscellaneous Tax Fund.

**Fiscal Impact:** A majority of the funding came from the State Revolving Fund Loan with the City Water Fund repaying the loan and covering costs that were not paid by the Loan.

**Alternatives:**

The City Commission could vote to deny final payment. This action would likely result in litigation from the contractor to recover the funds withheld as substantial completion documentation has been executed and all punch list items have been completed to the satisfaction of Public Works.

**Attachments/Exhibits:**

OF 1519.6 Final Project Invoice  
OF 1519.6 Vicinity Map

**APPLICATION AND CERTIFICATE FOR PAYMENT**

PAGE ONE OF

PAGES

<b>TO:</b> City of Great Falls PO Box 5021 Great Falls, MT 59403	<b>PROJECT NAME:</b> WTP Improvements Phase 1 UV and Chemical Building, Surge Tank, and Electrical Building	<b>APPLICATION NO:</b> <b>APPLICATION PERIOD TO:</b> <b>PROJECT NO:</b> <b>CONTRACT DATE:</b> <b>REVISION DATE:</b>	26.1 FINAL OF 1519.6 10/15/09 11/20/19
<b>FROM:</b> Sletten Construction Company PO Box 2467 Great Falls, MT 59403	<b>CERTIFYING AGENT:</b> Black & Veatch 4600 South Syracuse Street Suite 800 Denver, Colorado 80237		
<b>CONTRACT FOR:</b> WTP Upgrade			

ORIGINAL CONTRACT AMOUNT		\$24,860,109.00
CHANGE ORDERS		\$573,821.00
REVISED CONTRACT AMOUNT		\$25,433,930.00
TOTAL WORK COMPLETE AND STORED MATERIAL TO DATE		\$25,420,835.00
RETAINAGE:		
Work Completed	0.000%	\$0.00
Stored Materials	0.000%	\$0.00
TOTAL		\$0.00
WORK COMPLETED AND STORED MATERIALS LESS TOTAL RETAINAGE		\$25,420,835.00
PREVIOUS CERTIFICATE FOR PAYMENT		\$25,398,348.00
Gross Amount Due		\$22,487.00
Gross Receipts Tax - 1%		\$224.87
AMOUNT DUE		\$22,262.13
REMAINING CONTRACT BALANCE (RETAINAGE INCLUDED)		\$13,095.00

SUMMARY OF CHANGES	ADDS	DEDUCTS
Previous Totals	\$573,821.00	\$0.00
THIS MONTH	\$0.00	\$0.00
TOTALS	\$573,821.00	\$0.00

**Contractor's Certification**

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

(Firm) Sletten Construction Company

(Name) Kyle Blunn

(Signature) Kyle J Blunn Digitally signed by Kyle J Blunn  
DN: C=US, E=kblunn@sletteninc.com, O=Sletten  
Companies, OU=Industrial Division, CN=Kyle J Blunn  
Date: 2019.11.20 10:52:58-0700 (Date)

**ENGINEER'S RECOMMENDATION**

I certify that the work covered by this Application for Payment has been completed according to the contract, and that the amount recommended is:

(Firm) Black & Veatch

(Name) Arlene Over

(Signature) Arlene M. Little Digitally signed by Arlene M. Little  
DN: C=US, E=arlittle@bv.com, O=Black & Veatch,  
OU=Water, CN=Arlene M. Little  
Date: 2019.11.20 13:43:59-1700 (Date)

**RECOMMEND**

I certify that the work covered by this Application for Payment has been completed according to the contract, and that the amount recommend is:

(Firm) City of Great Falls

(Name) Jesse Patton

(Signature) Jesse Patton (Date) 3-25-2021

PROJECT FUNDING/EXPENDITURE SUMMARY \*

WTP Improvements Phase 1 - UV and Chemical Building, Surge Tank and Electrical Building - O.F. 1519.6

PREPARED BY THE CITY ENGINEERS OFFICE 03/24/2021 - JEP

FINAL PAY

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE										ALLOCATED FUNDING	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$78,211.38	\$15,682.03	\$25,880.13	\$2,737.58	\$32,220.64	\$61,201.18	\$89,092.51	\$110,216.70	\$102,816.74	\$97,709.17	\$2,500,286.78	\$2,500,286.07	\$0.71
	TOTAL DATE	\$78,211.38 07/19/16	\$15,682.03 08/18/16	\$25,880.13 09/26/16	\$2,737.58 09/27/16	\$32,220.64 10/14/2016	\$61,201.18 11/28/2016	\$89,092.51 12/12/2016	\$110,216.70 1/12/2017	\$102,816.74 2/9/2017	\$97,709.17 3/20/2017	\$2,500,286.78	\$2,500,286.07	\$0.71
		NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$85,345.78	\$98,726.74	\$88,204.57	\$95,707.98	\$101,756.35	\$97,460.83	\$37,115.54	\$143,311.08	\$95,818.80	\$88,689.94			
	TOTAL DATE	\$85,345.78 04/29/17	\$98,726.74 05/10/17	\$88,204.57 06/12/17	\$95,707.98 07/24/17	\$101,756.35 8/24/2017	\$97,460.83 9/21/2017	\$37,115.54 10/5/2017	\$143,311.08 11/14/2017	\$95,818.80 12/12/2017	\$88,689.94 1/8/2018			
		NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$84,252.44	\$69,190.35	\$65,642.40	\$82,161.96	\$64,046.99	\$61,740.13	\$67,703.13	\$62,260.60	\$68,939.57	\$111,072.80			
	TOTAL DATE	\$84,252.44 02/13/18	\$69,190.35 03/15/18	\$65,642.40 04/30/18	\$82,161.96 05/29/18	\$64,046.99 6/18/2018	\$61,740.13 7/20/2018	\$67,703.13 8/28/2018	\$62,260.60 9/26/2018	\$68,939.57 10/10/2018	\$111,072.80 11/12/2018			
		NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$82,401.60	\$86,620.01	\$38,724.00	\$7,624.42									
	TOTAL DATE	\$82,401.60 12/13/18	\$86,620.01 01/24/19	\$38,724.00 02/25/19	\$7,624.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$7,589.90	\$907.50	\$330.00	\$330.00	\$247.50	\$8,910.00	\$4,207.50	\$10,436.25	\$4,262.50	\$23,092.81	\$282,830.99	\$282,830.99	\$0.00
	TOTAL DATE	\$7,589.90 01/13/17	\$907.50 02/02/17	\$330.00 02/14/17	\$330.00 05/10/17	\$247.50 5/30/2017	\$8,910.00 10/31/2017	\$4,207.50 11/13/2017	\$10,436.25 11/27/2017	\$4,262.50 12/12/2017	\$23,092.81 1/2/2018	\$282,830.99	\$282,830.99	\$0.00
		NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$20,650.71	\$8,506.39	\$4,631.50	\$1,691.25	\$2,520.34	\$15,416.07	\$16,416.57	\$10,871.53	\$4,501.25	\$5,443.72			
	TOTAL DATE	\$20,650.71 02/14/18	\$8,506.39 02/14/18	\$4,631.50 03/05/18	\$1,691.25 03/15/18	\$2,520.34 4/2/2018	\$15,416.07 4/30/2018	\$16,416.57 6/27/2018	\$10,871.53 6/27/2018	\$4,501.25 7/19/2018	\$5,443.72 8/8/2018			
		NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$27,231.35	\$20,201.93	\$20,216.06	\$34,850.09	\$29,368.27								
	TOTAL DATE	\$27,231.35 08/22/18	\$20,201.93 09/10/18	\$20,216.06 09/21/18	\$34,850.09 10/09/18	\$29,368.27 10/23/2018		\$0.00	\$0.00	\$0.00	\$0.00			
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$18,392.99	\$9,432.50	\$1,015.00	\$8,223.22	\$4,168.45	\$4,221.03	\$1,680.00				\$57,357.35	\$47,133.19	\$10,224.16
	TOTAL DATE	\$18,392.99 11/05/18	\$9,432.50 11/20/18	\$1,015.00 12/06/18	\$8,223.22 12/19/18	\$4,168.45 1/21/2019	\$4,221.03 2/4/2019	\$1,680.00 4/5/2019	\$0.00	\$0.00	\$0.00	\$57,357.35	\$47,133.19	\$10,224.16

		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings	\$786,408.48	\$1,285,629.84	\$2,201,293.34	\$3,755,410.88	\$1,950,269.26	\$1,006,852.04	\$2,075,504.88	\$1,565,184.80	\$1,363,631.89	\$491,690.54	\$25,144,364.56	\$25,166,626.69	(\$22,262.13)	
	TOTAL DATE	\$786,408.48 12/15/16	\$1,285,629.84 02/22/17	\$2,201,293.34 05/08/17	\$3,755,410.88 06/14/17	\$1,950,269.26 7/24/2017	\$1,006,852.04 8/24/2017	\$2,075,504.88 9/21/2017	\$1,565,184.80 10/30/2017	\$1,363,631.89 11/28/2017	\$491,690.54 12/13/2017	\$25,144,364.56	\$25,166,626.69	(\$22,262.13)	
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings	\$7,943.52	\$12,986.16	\$22,235.29	\$37,933.44	\$19,699.69	\$10,170.22	\$20,964.70	\$15,809.95	\$13,774.06	\$4,966.57	\$253,983.48	\$254,208.35	(\$224.87)	
	TOTAL DATE	\$7,943.52 12/15/16	\$12,986.16 02/22/17	\$22,235.29 05/08/17	\$37,933.44 7/24/2017	\$19,699.69 8/24/2017	\$10,170.22 9/21/2017	\$20,964.70 10/30/2017	\$15,809.95 11/28/2017	\$13,774.06 12/13/2017	\$4,966.57	\$253,983.48	\$254,208.35	(\$224.87)	
		NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings	\$1,634,381.29	\$944,224.46	\$572,336.57	\$444,127.61	\$691,756.56	\$937,126.47	\$505,563.63	\$491,000.30	\$293,957.98	\$382,215.44				
	TOTAL DATE	\$1,634,381.29 01/16/18	\$944,224.46 02/21/18	\$572,336.57 03/16/18	\$444,127.61 04/11/18	\$691,756.56 5/17/2018	\$937,126.47 6/11/2018	\$505,563.63 7/10/2018	\$491,000.30 8/10/2018	\$293,957.98 9/10/2018	\$382,215.44 10/8/2018				
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings	\$16,508.90	\$9,537.62	\$5,781.18	\$4,486.14	\$6,987.44	\$9,465.92	\$5,106.70	\$4,959.60	\$2,969.27	\$3,860.76				
	TOTAL DATE	\$16,508.90 01/16/18	\$9,537.62 02/21/18	\$5,781.18 03/16/18	\$4,486.14 04/11/18	\$6,987.44 5/17/2018	\$9,465.92 6/11/2018	\$5,106.70 7/10/2018	\$4,959.60 8/10/2018	\$2,969.27 9/10/2018	\$3,860.76 10/8/2018				
		NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings	\$1,279,840.25	\$133,100.52	\$57,084.94	\$281,365.12	\$14,407.47	\$22,262.13								
	TOTAL DATE	\$1,279,840.25 11/20/18	\$133,100.52 12/14/18	\$57,084.94 01/09/19	\$281,365.12 02/19/19	\$14,407.47 3/11/2019	\$22,262.13 11/20/2019	\$0.00	\$0.00	\$0.00	\$0.00				
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings	\$12,927.68	\$1,344.45	\$576.62	\$2,842.07	\$145.53	\$224.87								
	TOTAL DATE	\$12,927.68 11/20/18	\$1,344.45 12/14/18	\$576.62 01/09/19	\$2,842.07 02/19/19	\$145.53 3/11/2019	\$224.87 11/20/2019	\$0.00	\$0.00	\$0.00	\$0.00				
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings											\$35,226.14	\$0.00	\$35,226.14	
	TOTAL DATE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35,226.14	\$0.00	\$35,226.14	
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings											\$355.82	\$0.00	\$355.82	
	TOTAL DATE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$355.82	\$0.00	\$355.82	
MISCELLANEOUS	General Capital Admin - Improv's Other Than Buildings	\$225.00	\$8,785.31									\$1,365,498.17	\$9,010.31	\$1,356,487.86	
	TOTAL DATE	\$225.00 02/06/17	\$8,785.31 01/22/19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,365,498.17	\$9,010.31	\$1,356,487.86	
	VENDOR	DEQ	NorthWestern												
												TOTALS	\$29,639,903.29	\$28,260,095.60	\$1,379,807.69

PROJECT FUNDING SUMMARY

FUND DESIGNATION	ALLOCATED	EXPENDITURES	BALANCE
Utility Bond Const./SRF- Improv's Other Than Buildings	\$29,639,903.29	\$28,260,095.60	\$1,379,807.69
TOTAL	\$29,639,903.29	\$28,260,095.60	\$1,379,807.69

ACCOUNT NUMBER

5210-31-590-49310

PROJECT NUMBER

PW361604

*Jep*  
*W.L.*



PROJECT FUNDING/EXPENDITURE SUMMARY \*

WTP Improvements Phase 1 - UV and Chemical Building, Surge Tank and Electrical Building - O.F. 1519.6

PREPARED BY THE CITY ENGINEERS OFFICE 03/24/2021 - JEP

FINAL PAY

PAYEE	FUND	CLAIM - NUMBER / AMOUNT / DATE										ALLOCATED FUNDING	EXPENDITURES TO DATE	BALANCE
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$78,211.38	\$15,682.03	\$25,880.13	\$2,737.58	\$32,220.64	\$61,201.18	\$89,092.51	\$110,216.70	\$102,816.74	\$97,709.17	\$2,500,286.78	\$2,500,286.07	\$0.71
	TOTAL DATE	\$78,211.38 07/19/16	\$15,682.03 08/18/16	\$25,880.13 09/26/16	\$2,737.58 09/27/16	\$32,220.64 10/14/2016	\$61,201.18 11/28/2016	\$89,092.51 12/12/2016	\$110,216.70 1/12/2017	\$102,816.74 2/9/2017	\$97,709.17 3/20/2017	\$2,500,286.78	\$2,500,286.07	\$0.71
		NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$85,345.78	\$98,726.74	\$88,204.57	\$95,707.98	\$101,756.35	\$97,460.83	\$37,115.54	\$143,311.08	\$95,818.80	\$88,689.94			
	TOTAL DATE	\$85,345.78 04/20/17	\$98,726.74 05/10/17	\$88,204.57 06/12/17	\$95,707.98 07/24/17	\$101,756.35 8/24/2017	\$97,460.83 9/21/2017	\$37,115.54 10/5/2017	\$143,311.08 11/14/2017	\$95,818.80 12/12/2017	\$88,689.94 1/8/2018			
		NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$84,252.44	\$69,190.35	\$65,642.40	\$82,161.96	\$64,046.99	\$61,740.13	\$67,703.13	\$62,260.60	\$68,939.57	\$111,072.80			
	TOTAL DATE	\$84,252.44 02/13/18	\$69,190.35 03/15/18	\$65,642.40 04/30/18	\$82,161.96 05/29/18	\$64,046.99 6/18/2018	\$61,740.13 7/20/2018	\$67,703.13 8/28/2018	\$62,260.60 9/26/2018	\$68,939.57 10/10/2018	\$111,072.80 11/12/2018			
		NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40			
ENGINEERING - Black and Veatch	General Capital Admin - Improv's Other Than Buildings	\$82,401.60	\$86,620.01	\$38,724.00	\$7,624.42									
	TOTAL DATE	\$82,401.60 12/13/18	\$86,620.01 01/24/19	\$38,724.00 02/25/19	\$7,624.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$7,589.90	\$907.50	\$330.00	\$330.00	\$247.50	\$8,910.00	\$4,207.50	\$10,436.25	\$4,262.50	\$23,092.81	\$282,830.99	\$282,830.99	\$0.00
	TOTAL DATE	\$7,589.90 01/13/17	\$907.50 02/02/17	\$330.00 02/14/17	\$330.00 05/10/17	\$247.50 5/30/2017	\$8,910.00 10/31/2017	\$4,207.50 11/13/2017	\$10,436.25 11/27/2017	\$4,262.50 12/12/2017	\$23,092.81 1/2/2018	\$282,830.99	\$282,830.99	\$0.00
		NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$20,650.71	\$8,506.39	\$4,631.50	\$1,691.25	\$2,520.34	\$15,416.07	\$16,416.57	\$10,871.53	\$4,501.25	\$5,443.72			
	TOTAL DATE	\$20,650.71 02/14/18	\$8,506.39 02/14/18	\$4,631.50 03/05/18	\$1,691.25 03/15/18	\$2,520.34 4/2/2018	\$15,416.07 4/30/2018	\$16,416.57 6/27/2018	\$10,871.53 6/27/2018	\$4,501.25 7/19/2018	\$5,443.72 8/8/2018			
		NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$27,231.35	\$20,201.93	\$20,216.06	\$34,850.09	\$29,368.27								
	TOTAL DATE	\$27,231.35 08/22/18	\$20,201.93 09/10/18	\$20,216.06 09/21/18	\$34,850.09 10/09/18	\$29,368.27 10/23/2018		\$0.00	\$0.00	\$0.00	\$0.00			
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10			
ENGINEERING - IAC	General Capital Admin - Improv's Other Than Buildings	\$18,392.99	\$9,432.50	\$1,015.00	\$8,223.22	\$4,168.45	\$4,221.03	\$1,680.00				\$57,357.35	\$47,133.19	\$10,224.16
	TOTAL DATE	\$18,392.99 11/05/18	\$9,432.50 11/20/18	\$1,015.00 12/06/18	\$8,223.22 12/19/18	\$4,168.45 1/21/2019	\$4,221.03 2/4/2019	\$1,680.00 4/5/2019	\$0.00	\$0.00	\$0.00	\$57,357.35	\$47,133.19	\$10,224.16



		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings	\$786,408.48	\$1,285,629.84	\$2,201,293.34	\$3,755,410.88	\$1,950,269.26	\$1,006,852.04	\$2,075,504.88	\$1,565,184.80	\$1,363,631.89	\$491,690.54	\$25,144,364.56	\$25,166,626.69	(\$22,262.13)	
	TOTAL DATE	\$786,408.48 12/15/16	\$1,285,629.84 02/22/17	\$2,201,293.34 05/08/17	\$3,755,410.88 06/14/17	\$1,950,269.26 7/24/2017	\$1,006,852.04 8/24/2017	\$2,075,504.88 9/21/2017	\$1,565,184.80 10/30/2017	\$1,363,631.89 11/28/2017	\$491,690.54 12/13/2017	\$25,144,364.56	\$25,166,626.69	(\$22,262.13)	
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings	\$7,943.52	\$12,986.16	\$22,235.29	\$37,933.44	\$19,699.69	\$10,170.22	\$20,964.70	\$15,809.95	\$13,774.06	\$4,966.57	\$253,983.48	\$254,208.35	(\$224.87)	
	TOTAL DATE	\$7,943.52 12/15/16	\$12,986.16 02/22/17	\$22,235.29 05/08/17	\$37,933.44 06/14/17	\$19,699.69 7/24/2017	\$10,170.22 8/24/2017	\$20,964.70 9/21/2017	\$15,809.95 10/30/2017	\$13,774.06 11/28/2017	\$4,966.57 12/13/2017	\$253,983.48	\$254,208.35	(\$224.87)	
		NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings	\$1,634,381.29	\$944,224.46	\$572,336.57	\$444,127.61	\$691,756.56	\$937,126.47	\$505,563.63	\$491,000.30	\$293,957.98	\$382,215.44				
	TOTAL DATE	\$1,634,381.29 01/16/18	\$944,224.46 02/21/18	\$572,336.57 03/16/18	\$444,127.61 04/11/18	\$691,756.56 5/17/2018	\$937,126.47 6/11/2018	\$505,563.63 7/10/2018	\$491,000.30 8/10/2018	\$293,957.98 9/10/2018	\$382,215.44 10/8/2018				
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings	\$16,508.90	\$9,537.62	\$5,781.18	\$4,486.14	\$6,987.44	\$9,465.92	\$5,106.70	\$4,959.60	\$2,969.27	\$3,860.76				
	TOTAL DATE	\$16,508.90 01/16/18	\$9,537.62 02/21/18	\$5,781.18 03/16/18	\$4,486.14 04/11/18	\$6,987.44 5/17/2018	\$9,465.92 6/11/2018	\$5,106.70 7/10/2018	\$4,959.60 8/10/2018	\$2,969.27 9/10/2018	\$3,860.76 10/8/2018				
		NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings	\$1,279,840.25	\$133,100.52	\$57,084.94	\$281,365.12	\$14,407.47	\$22,262.13								
	TOTAL DATE	\$1,279,840.25 11/20/18	\$133,100.52 12/14/18	\$57,084.94 01/09/19	\$281,365.12 02/19/19	\$14,407.47 3/11/2019	\$22,262.13 11/20/2019	\$0.00	\$0.00	\$0.00	\$0.00				
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings	\$12,927.68	\$1,344.45	\$576.62	\$2,842.07	\$145.53	\$224.87								
	TOTAL DATE	\$12,927.68 11/20/18	\$1,344.45 12/14/18	\$576.62 01/09/19	\$2,842.07 02/19/19	\$145.53 3/11/2019	\$224.87 11/20/2019	\$0.00	\$0.00	\$0.00	\$0.00				
		NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10				
CONTRACTOR - Sletten Construction	General Capital Admin - Improv's Other Than Buildings											\$35,226.14	\$0.00	\$35,226.14	
	TOTAL DATE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35,226.14	\$0.00	\$35,226.14	
STATE MISC TAX	General Capital Admin - Improv's Other Than Buildings											\$355.82	\$0.00	\$355.82	
	TOTAL DATE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$355.82	\$0.00	\$355.82	
MISCELLANEOUS	General Capital Admin - Improv's Other Than Buildings	\$225.00	\$8,785.31									\$1,365,498.17	\$9,010.31	\$1,356,487.86	
	TOTAL DATE	\$225.00 02/06/17	\$8,785.31 01/22/19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,365,498.17	\$9,010.31	\$1,356,487.86	
	VENDOR	DEQ	NorthWestern												
												TOTALS	\$29,639,903.29	\$28,260,095.60	\$1,379,807.69

PROJECT FUNDING SUMMARY

FUND DESIGNATION	ALLOCATED	EXPENDITURES	BALANCE
Utility Bond Const./SRF- Improv's Other Than Buildings	\$29,639,903.29	\$28,260,095.60	\$1,379,807.69
TOTAL	\$29,639,903.29	\$28,260,095.60	\$1,379,807.69

ACCOUNT NUMBER

5210-31-590-49310

PROJECT NUMBER

PW361604

*JP*  
*W.L.*



# O.F. 1519.6 VICINITY MAP



PROJECT LOCATION





Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Tourism Business Improvement District (TBID) 2020/2021 Budget Amendment

**From:** Rebecca Engum, Great Falls Montana Tourism Executive Director

**Initiated By:** Tourism Business Improvement District Board of Directors

**Presented By:** Rebecca Engum, Great Falls Montana Tourism Executive Director

**Action Requested:** Set a Public Hearing for June 1, 2021 to consider the Tourism Business Improvement District 2020/2021 Budget Amendment

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing for June 1, 2021 to consider the 2020/2021 Tourism Business Improvement District Budget Amendment.”

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

**TBID Board Recommendation:** Set a public hearing for June 1, 2021 to consider the 2020/2021 Tourism Business Improvement District Budget Amendment.

**Background:** The Commission approved the 2020/2021 TBID Budget and Work Plan on July 21, 2020 amid the COVID-19 pandemic. At that time, the TBID assumed the worst in putting together the budget.

The TBID and CVB secured grants, received relief funds, and the TBID obtained an SBA Paycheck Protection Loan. What we know today is vastly different than what we knew in April of 2019.

With the grants and relief funds covering some of the previously budgeted operating expenses and the assessment funds collected higher than originally budgeted, the TBID took advantage of opportunities invest in recovery strategies to include the Big River Ruckus and airline marketing. Recovery in Convention, Meetings, and Groups is just starting.

The TBID promotes Great Falls to potential leisure travelers, recruits meetings and conventions to Great Falls, supports tourism infrastructure assets invests in new and growing events, advocates for the Tourism industry, and assists in-market guests with having an only in Great Falls experience. To better be able to perform all operations, the TBID Trustees have taken advantage of the opportunity to relocate our operations to 15 Overlook Drive and make an investment in leasehold improvements. This strategic move

will better showcase Great Falls to in-market guests and present a better first impression to meeting planners.

The TBID has had increases in income and changes across the board in expenses. This amendment is a combination of additional income right sizing of expenses based on year-to-date actual expenses and adjustments to expenses that aren't occurring due to impacts from COVID-19.

In a previous audit of the Great Falls Tourism Business Improvement District, the auditor delivered one finding related to increased expenses over the approved budget. This finding noted that an amendment to the budget was not submitted to the City of Great Falls, even though presented, and approved by the TBID Board.

To prevent any future findings, the TBID Board approved budget amendment is presented to the City of Great Falls for approval.

**Fiscal Impact:** There is no fiscal impact to the City of Great Falls. The increased budget funds are coming from previously received TBID Assessment that have been placed in reserves.

**Alternatives:** The City Commission could request TBID Board cut expenses to meet approved 2020/2021 Budget.

**Concurrences:** Finance staff is responsible for assessing and collecting the revenues for the TBID. TBID maintains a staff to fulfil the strategic plan as set by the Board of Directors.

**Attachments/Exhibits:**

Approved 2020/2021 Work Plan and Budget

TBID Approved Budget Amendment

5-4-2021 Board of Directors Meeting Minutes



*Great Falls*  
MONTANA  
TOURISM

# 2021 Marketing Plan

July 1, 2020 to June 30, 2021

[www.VisitGreatFallsMontana.org](http://www.VisitGreatFallsMontana.org)





Overlook Park

## 2020 SUCCESS

Great Falls Montana Tourism offered a NEW Event Grant in 2020 and awarded \$19,000 in funding to Montana Performing Arts Consortium to develop RegFest, a performing arts festival featuring Reggie Watts. Reggie is a Great Falls native and current band leader for The Late Late Show with James Corden.

Our Social channels grew with the creation of a Content Director in February 2019. Instagram audience

exceed our goal with 30% growth and Facebook audience met our goal at 20% growth. Our goal for Instagram was 25% growth.

We are at 50% of our Convention and Meeting goal with 3 new pieces of business. The CDC guidance related to COVID-19 has halted our progress.

Great Falls saw a 54% increase in new overnight visitors in 2019, even though we saw a 2% decline in total overnight visitors. Our goal for new overnight visitors and total overnight visitors was 5% growth for each.

## GREAT FALLS, MONTANA

Great Falls is the 3rd largest city in the Nation's 4th largest state. With 1 million residents in the State and just under 60,000 residents in the city, the open space appeals to residents and non-residents alike. Last year alone, 12 million people visited Montana, and 1 million spent a night in Great Falls.

Great Falls is Montana's Basecamp for Art and Adventure. Designed for independent, outdoor adventurers and planners of meetings, Great Falls provides a true, authentic Montana experience. Our community sits on the banks of the Missouri River in the center of the State. Great Falls is a basecamp to the Rocky, Big Belt, Highwood, and Little Belt Mountain Ranges; each providing public access for a variety of outdoor recreation. It is also a basecamp to the Sun and Smith Rivers; Belt Creek, and Holter Lake; it is 2.5 hours south of the East entrance to Glacier National Park, and 3.5 hours north of the

## EXECUTIVE SUMMARY

Great Falls Montana Tourism is the Destination Management Organization [DMO] focused on promoting the city of Great Falls, Montana to overnight visitors. It includes efforts of the Convention and Visitors Bureau and the Tourism Business Improvement District. As we plan for 2021, we are in uncertain times that will be taken day by day, then week by week, then month by month as the situation surrounding COVID-19 evolves. Our strategies and budget may change by July 1, 2020 as we continue to get new data and guidance.

Great Falls Montana Tourism will leverage the Montana Brand and use paid and owned media to orient overnight visitors to Great Falls' unique spectacular unspoiled nature and the only in Great Falls breathtaking experiences that can be had by day, with the ability to come back to the relaxing hospitality of our community to renew their spirit for the next day. By developing itineraries around specific events, we will facilitate extended stays in Great Falls, a vibrant and charming small town full of art and modern amenities, prior to departing for adventures in more of Montana's spectacular, unspoiled nature.

Our team will continue to work alongside the leaders at Cascade County and in the community to bring the Future of Montana ExpoPark into reality. We will incentivize conventions and events that can generate overnight visitors. We will leverage our Great Falls Champions to share positive content and leverage reach.

We will focus efforts for Convention and Meetings inside Montana and continue to build relationships with regional and National meeting planners where Great Falls, Montana has a competitive advantage. Our team will be focused on strengthening the economy by promoting the uniqueness of Great Falls, Montana to overnight visitors that will result is Great Falls being THE place in Montana to visit for a genuine experience with the funding received in partnerships with our Great Falls lodging facilities.



Downtown Murals

North Entrance to Yellowstone National Park. Great Falls' access to a variety of outdoor adventures is complimented by a haven of rich arts, culture, and history in a vibrant, modern community where you can renew your spirit.

Great Falls is Montana's Museum Capital. Famed Cowboy artist and humanitarian, Charlie Russell made Great Falls, Montana his basecamp and the museum that bears his name has the largest collection of Russell's work, the complex has his studio and home, and The C.M. Russell Museum has been named Montana's Museum worth driving for. The Lewis & Clark Interpretive Center has North America's most extensive display of the Lewis & Clark expedition. First People's Buffalo Jump is North America's Largest and is a National Historic Landmark. The remaining museums in Great Falls celebrate our history, the life of Brother Van, modern artists, the railroad, the artwork of Sister Mary Trinitas Morin and Mother Raphael Schweda, the military missions at Malmstrom Air Force Base, and a hands-on Children's Museum.

Great Falls is known as the Western Art Capital of the World during Western Art Week. This signature event brings in over 750 artists at 15+ shows for a variety of auctions, direct purchase, quick finishes, demonstrations, lectures, music and more.

Businesses that make up the Tourism Industry account for 2,180 jobs and over \$42 million in payroll locally. Tourism Industry businesses account for over \$16 million in property taxes. Great Falls' tourism industry accounts for 5% of Montana's total overall tourism impact. The State, the Region, and the City's tourism economy is driven by outdoor recreation.

## BENCHMARK COMMUNITIES

Communities that we compete with are numerous, however, we benchmark our efforts against a few specific communities:

Billings MT | Missoula MT | Kalispell MT | Casper WY  
Spokane WA | Boise ID | Sioux Falls SD  
Grand Forks ND | Bismarck ND

## ANAYLSIS

The appeal of Montana's spectacular, unspoiled nature inspires people to travel to the fourth largest state in the US and experience its over 100 vibrant and charming small towns that provide impressive outdoor experiences. As a result, Great Falls competes within the state, as well as the Northwest region and the nation to orient and facilitate the visitor to experience Montana's Basecamp for Art & Adventure.

## STRENGTHS

**Art** | In the broadest sense of the term, Great Falls has art—from statutes and murals on the river's edge trail and downtown, to state parks and museums that capture our history and culture, to restaurants who source local food, to residents who create masterpieces on canvasses or using batik, and our entrepreneurs who create industry changing products. Great Falls is creative, innovative, and full of art.

**River** | The Missouri River connects Great Falls' history to the Plains Indians, Corp of Discovery, mining and electricity. Today it provides access to outdoor recreation, bird viewing, a path for scenic drives, and a backdrop for stunning photography.





**Basecamp** | In about an hour or less from Great Falls, you can be in the Rocky Mountain Front and the greater Bob Marshall Wilderness Complex, Sluice Boxes State Park and the Little Belt Mountains, the Highwood Mountains, on Holter Lake, at Smith River, Sun River. And, just a little further in Glacier National Park.

**Malmstrom** | 3,300 personnel, along with their families, are stationed in Great Falls' air force base. The base itself draws national contractor business, and the personnel's extended family come to visit.

**GTF** | Our international airport is small and accessible, offering direct flights from Seattle, Denver, Las Vegas, Minneapolis, Phoenix, Salt Lake City, and seasonally to Chicago.

### *WEAKNESS*

**Venues** | Tried and true, our facility infrastructure is stable but suffers from deferred maintenance and lack of capital investment for industry demanding improvements.

**Impression** | Immediate thoughts of Montana include mountains, roaming wildlife, and backpacking adventures, and Great Falls is a modern community on the Missouri River with an industrial history.

**Detractors** | 34% of Great Falls residents hold a low-self image of and are negative about the community being a great place to visit.

### *OPPORTUNITIES*

**I-15 Corridor** | Great Falls is roughly halfway between Salt Lake City, Utah, and Edmonton, Alberta (via Highway 2 in Alberta, Canada). Through traffic provides a chance to convert travelers for experiences and events. 55% of travelers drive through Great Falls without spending a night.

**Air Service** | United, Delta, Alaska, and Allegiant are great partners, however, there are opportunities to add carriers and direct flights.

**Events** | Signature events give visitors a specific time to travel to Great Falls. We have room to add more.

**In-Market Experience** | The Missouri River is amazing; however, we are missing the opportunity to make it, and other experiences, easier to access. Great Falls can benefit from easy access equipment rentals, tour guides, facilitated experiences, and review worthy interactions.

### *THREATS*

**COVID-19** | We have already witnessed postponed, cancelled, and rescheduled events, conventions, and meetings. The uncertainty of how long the current shelter-in place and group size restrictions will remain, prevents travel. In addition, local businesses

that support the tourism ecosystem will have taken dramatic losses and may not be able to continue operations or support the industry as they did. Recovery in our target markets may take longer than in Montana and could delay travel.

**I-90/I-94 CORRIDOR** | This Montana route has larger communities with larger population bases, sees higher traffic counts and has had more success in event routing than I-15.

**Market Economy** | Volatility in the local economy of our target market communities can directly impact travel decisions.

**Growth** | The success of peer and benchmark communities related to increased retail experiences and capital investments in infrastructure have increased their tourism budgets to attract more visitors, causing Great Falls to lag.



St. Peter's Mission



## THE BASECAMP BRAND

From every direction, Montana's spectacular, unspoiled nature calls you closer – from two of America's most amazing national parks, a short drive in either direction, to the miles of trails along the Missouri River and beyond, it is all accessible beginning right in Great Falls. It beckons you to discover Montana's rugged and alluring outdoors freely with independence.

One of the greatest things about our community is we are welcoming, down-to-earth and proud of what we have. We are forward thinking and unapologetic about creating a future based on our potential. Great Falls is a place where you feel more independent, more liberated from conformity and convention. You are more free to pursue your passion, from outdoor recreation to embracing your inner artist.

It's a place where you can be in the middle of an evolving and vibrant downtown life near the riverfront and yet never far from getting away from it all. If you look at life as a wonderful, ever-changing adventure (as we do), we invite you to come to a place where you can live it abundantly, celebrate your independence every single day.

Great Falls provides a basecamp for a wide range of outdoor adventures and offers a haven of rich arts, culture, and history in a vibrant, modern community where an expansive, unspoiled, diverse landscape renews one's spirit!

- We share the unique stories.
- We keep it conversational.
- We play up our diverse landscapes.
- We show hospitality in our community.
- We use dynamic images and videos.
- We are consistent in our style.

We use a lighthearted, conversational tone with personality and a little humor in our communications. We use specific words to set a tone, reinforce the attributes of our community and unify our voice.

Independent | Adventurous | Fun | Courageous | Refreshing | Creative | Scenic | Freedom Alluring | Artistic | Rugged | Spirited | Real | Curiosity | Open | Breathtaking | Authentic

**We Show, Not Tell.**

It is one thing to tell people we have the largest veggie omelet in town. It is quite another to show them a picture of someone eating the largest veggie

omelet in town. We refrain from the use of big, flowery words, and a ton of adjectives. Show them.

**We Build Anticipation.**

Telling a person's story about their experience can create the excitement for other's to have their own experience. When people start dreaming about the experience they could have, it builds the anticipation and desire to make the experience happen.

**We Let people create their story.**

Leave room for people to experience their way. Each person has their own way to experience something, so let them. Don't plan every step or pre-package every product, leave some mystery for people to discover something for their own unique story to retell.

**We Make no assumptions.**

Someone may be a frequent flyer to our community or frequent certain members, but they may not know we have North America's most extensive display of the Lewis & Clark expedition at the Lewis & Clark Interpretive Center or that Celtic Cowboy was named the Best Irish Pub in Montana.



## MARKET

### ROOM INVENTORY

Great Falls will have 2,292 rooms available any given night across 30 properties beginning in the Fall of 2020. Our inventory by property is broke down by room capacity with:

- 17% with less than 30 Rooms
- 57% with 31—99 Rooms
- 27% with 100+ Rooms

Room demand had been in decline since 2015. We saw an increase in 2018, then 2019 took a dip again.

### OVERNIGHT VISITOR HISTORY

Great Falls saw a slight decrease in overnight visitors in 2019, down 19,543 visitors from 2018.



Alberta was back in the leader seat for location our visitors came from, and retail shopping took back the 3<sup>rd</sup> location in the Top 5 Activities.

Top 5 markets out of state overnight visitors came from:

- Alberta 14%
- Washington 7%
- Idaho 7%
- Colorado 6%
- California 6%

Our overnight visitors top 5 activities were:

- Scenic driving 58%
- Day hiking 32%
- Recreational shopping 31%
- Wildlife watching 30%
- Nature photography 27%

The Business traveler continues to trail the Leisure traveler, with only 13% of overnight visitors being here for a convention or meeting. We saw an increase in first time visitors to 11%, over 7% the previous year.

Our overnight In-State Traveler is arriving from:

- Billings 45%
- Missoula 40%
- Bozeman 38%
- Kalispell 21%
- Helena 17%

Our overnight visitors primarily arrive by vehicle [63%]. Spending continues to decrease, from \$198 million [2017] to \$184 million [2018]. Top spending categories include:

1. Fuel
2. Restaurants
3. Retail
4. Grocery
5. Lodging

### *PROCESS*

Developing and growing the tourism effort is driven by market and consumer behavior research. This research ensures the delivery of a specifically crafted trip planning message during a critical stage of the consumer purchase process in targeted markets on specific platforms.

Knowing what activities visitors like to experience, how they make decisions, and how to help influence the decisions at each stage all form the cornerstones to Great Falls Montana Tourism's marketing strategies.

Great Falls Montana Tourism invests in paid media placement, developing compelling content, and leveraging that content through owned media.

The Montana Department of Commerce's Office of Tourism and Business Development makes significant investment to support the inspiration stage of the trip planning cycle. Great Falls Montana Tourism leverages that investment with joint marketing opportunities and focusing efforts on orienting.

As part of the orientation step of the trip planning process, Great Falls Montana Tourism provides infographics on direct flights, drive time, and distance from our target markets to support the message that making a trip to the city can be done in a day or less. That "getting here" message is supported by various trip ideas for weekend trips and weeklong vacations. One of our one-day trips shows how to spend a day in Great Falls before an evening concert – highlighting day hikes, kayaking, fishing, and shopping along with dining options to make a memorable time connected to an event.

## STRATEGY 1 | Get the Leisure Traveler in Great Falls, Montana Overnight.

The road to recovery for leisure travel is expected to take 36 months to get back to where we were in 2019. This strategy will use paid and owned media to generate overnight travelers.

**TACTICS** – Paid Media, Joint Ventures, Owned Media, Trade Shows

### PAID MEDIA

Great Falls Montana Tourism will relaunch paid media at a time when people can consider traveling again. When paid media relaunches, we will focus first on our Montana travelers and out of state markets where airline capacity hasn't been reduced and COVID recovery isn't delayed.

Paid media that has been successful in the past and are likely to be part of our 2021 strategy include: Digital Display Ads, Social Media Ads, Activity Focused Print, Online Audio, and Content.

In looking at Great Falls assets, we determined that our community stands apart in 5 areas:

- Outdoor Adventures (Little Belt mountains, Rocky mountain front, open spaces, big skies)
- Water Features (Missouri river, Sun river, Smith river, Giant Springs, the falls)
- Art Scene (museums, murals, sculptures, statues, local food)
- Unique Experiences (Sip 'n Dip, Borries, Tracy's)
- Historical Encounters (military, mining, Paris Gibson, Charlie Russell, Lewis & Clark)

The message delivered through our paid media will be phased, focusing on key messages throughout the year and varying what our market engages with.

		July	August	September
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

		October	November	December
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

		January	February	March
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

		April	May	June
Message	Outdoor Adventures			
	Water Features			
	Art Scene			
	Unique Experiences			
	Historical Encounters			

### JOINT VENTURES

Great Falls Montana Tourism will use joint ventures to leverage its paid media by sharing costs with a partner.

### OWNED MEDIA

Great Falls Montana Tourism will continue to support our paid media with media developed in-house and delivered through:

#### Adventure Awaits

This email communication is delivered to our database of over 75,000 leisure traveler inquiries to orient potential travelers to the experiences available in Great Falls, Montana. The objective is to provide specific experiences that will entice leisure travelers to plan an overnight visit. The content of this communication will focus on seasonal outdoor recreation, art features, a significant seasonal event, and unique only in Great Falls dining/drinking establishments. This communication provides preference to members.

#### Welcome to Great Falls

This email communication is delivered to every leisure inquiry received through email, telephone, and reader service. It is a seasonally appropriate introduction to Great Falls, getting here, places to stay, our State Parks, Outdoor Recreation, Art, and Signature Events.

#### Great Falls Champions

Forty percent of Great Falls residents would recommend visiting Great Falls to a friend. We want to work our promoters of Great Falls to increase overnight visitation. Champions are local residents that share our branded content (through the use of Social Toaster and organically from our owned channels), write a blog, volunteer for strategic efforts, refer a lead, and capture and share videos and photos for Tourism's use.

#### Facebook

Tourism staff will make organic posts using carousel itineraries with preference provided to members, sharing blog content from our website, posting of Adventure Awaits newsletter, giveaways, polls, contests, sharing content from our website, and posting emotion evoking images. The use of stories will increase and include more opportunity for user engagement. Story content will provide preference for members.



## Instagram

Tourism staff will make organic posts using emotion evoking images, sometimes driving traffic to blog content from our website and leveraging hashtags. We will engage users with giveaways, polls, contests using stories, and promote using organic posts. Story content will provide preference for members.

## Twitter

Tourism staff will make more in the moment posts organically with this media, leveraging hashtags. Posts will include breaking news, activity completion, visitor interactions, and unique facts.

## Basecamp Blog

Tourism staff will utilize Champions, as well as their own experiences to share first person experiences, suggestions for experiences in Great Falls, inspiration travel itineraries, interesting details about Great Falls, best of lists, and monthly to do lists. Mentions within content will give preference to members.

## The Eventory

This is a weekly email communication that is an inventory style listing of events that Tourism Staff have found happening in the Basecamp. This list is inclusive, showing no preference for members of nonmembers. From this list, Tourism Staff add mission relevant events to the Event Page of VisitGreatFallsMontana.org. The objective of this effort is twofold. First is to inform anyone planning events in Great Falls what is happening that could cannibalize attendance or to find events to partner with to enhance an event. The second objective is for all our partners to quell the "there is nothing to do in Great Falls" and provide itinerary fillers for any in-market guests.

This email is delivered through Constant Contact to partners, and those who sign-up to receive it.

## TRADE SHOWS

The Calgary Outdoor Travel & Adventure show for 2020 was cancelled

due to COVID-19. The already paid booth fee will be transferred to our 2021 attendance. Great Falls Montana Tourism will attend the 2021 Calgary Outdoor Travel & Adventure show. Additional trade shows will be considered with respect to any increases to projected budget numbers, however, with a reduced staff team, additional shows may not produce needed return on investment at this time.

## STRATEGY 2 - Get Meetings and Conventions in Great Falls, Montana.



The regional and national meeting and convention market may take longer than leisure travel to start bouncing back in Great Falls, Montana. Each State and Industry's COVID-19 recovery could hinder attendance and the uncertainty of group size allowances by CDC could hinder the ability to even have a gathering. Great Falls Montana Tourism will take a Montana focused approach to begin with while maintaining and growing relationships with regional and national meeting planners. Great Falls Montana Tourism will use our sales funnel strategy as the core to its tactics.

**TACTICS** – Outreach, 1:1 Meetings, In-Market Support, Owned Media

## OUTREACH

Great Falls Montana Tourism staff will research what conventions and meetings are held by the associations within Montana and through our national database, MINT+. The potential projects will be placed into our pipeline as prospects. Staff will utilize telephone to make first introductions, and follow up by telephone, email, video calls, mail, and face to face meetings to qualify the prospect into a lead. Once the lead is qualified, the team will deliver a Letter of Interest to inspire the planner to consider Great Falls, Montana for their project.

Great Falls Montana Tourism will deliver Bring it to the Basecamp presentations throughout Great Falls



Missouri River

to find Great Falls Champions who have conventions and meetings within their industry or passion area to refer us to.

Through our outreach efforts, we will find leads to make proposals for.

### **1:1 MEETINGS**

Great Falls Montana Tourism staff will meet with meeting planners face to face to get additional details on potential projects the planner has, through familiarization tours for meeting planners with qualified leads, and after a proposal is submitted for site visits.

We will monitor COVID-19 national recovery and the meetings industry to determine if hosted buyer shows would produce a return on investment. Currently, hosted buyer shows are not part of our strategy.

### **IN-MARKET SUPPORT**

Once the business is secured, we will service them with what we committed to, which can include:

- Building attendance for hosted business
- Connecting with local service providers and key leadership
- Fundraising support
- Assisting to secure room blocks

### **OWNED MEDIA**

Bring it to the Basecamp

This is an email communication distributed monthly to our meeting planners with highlights of venues, showcase of successes, familiarization trip opportunities, and requests projects. Preference will be provided for members within the content.

### **LinkedIn**

Tourism staff will make posts highlighting current projects in Great Falls, share testimonials of meeting planners, highlight the economic vitality Tourism provides to the community, share Bring it to the Basecamp email, and post case studies of projects that were unique and successful in Great Falls.

## **STRATEGY 3 – Improve the Great Falls, Montana online experience.**

**TACTICS** – Website, Photo Library, Video Development

### **WEBSITE**

The current theme used to host [www.VisitGreatFallsMontana.org](http://www.VisitGreatFallsMontana.org) is 3 years old. The theme hinders certain video features, event posting, ADA compliance, and site updating. Great Falls Montana Tourism will use 2021 to redevelop and relaunch a new website.

### **PHOTO LIBRARY**

Great Falls Montana Tourism will refresh its photos with contests, nonexclusive & unlimited use purchase agreements, and staged photo shoots to support a new creative direction.

### **VIDEO DEVELOPMENT**

Great Falls Montana Tourism will develop new video content that will support a new creative direction and will be used through Paid Media strategies.

## **STRATEGY 4 - Sustain Great Falls Montana Tourism as a Destination Management Organization**

**TACTICS** – Membership, Reserve Funds, Retain Staff

### **MEMBERSHIP**

Great Falls Montana Tourism offers businesses and individuals to invest in our annual efforts. The investment of \$100 provides benefits to expose businesses to meeting planners, conference attendees, and leisure travelers. The guidance connected to COVID-19 has caused damaged to our local economy, hitting the businesses that make up the Tourism industry the hardest. Membership is one of the ways we can spread the Tourism efforts locally. For Tourism, there is more benefit to having members versus having the financial investment. To show strong support for our members and our industry, we will be waiving the investment for 2021. All credits will be applied to 2022



Sluice Boxes State Park



membership. Great Falls Montana Tourism will still work to recruit members and provide them benefits.

#### *RESERVE FUNDS*

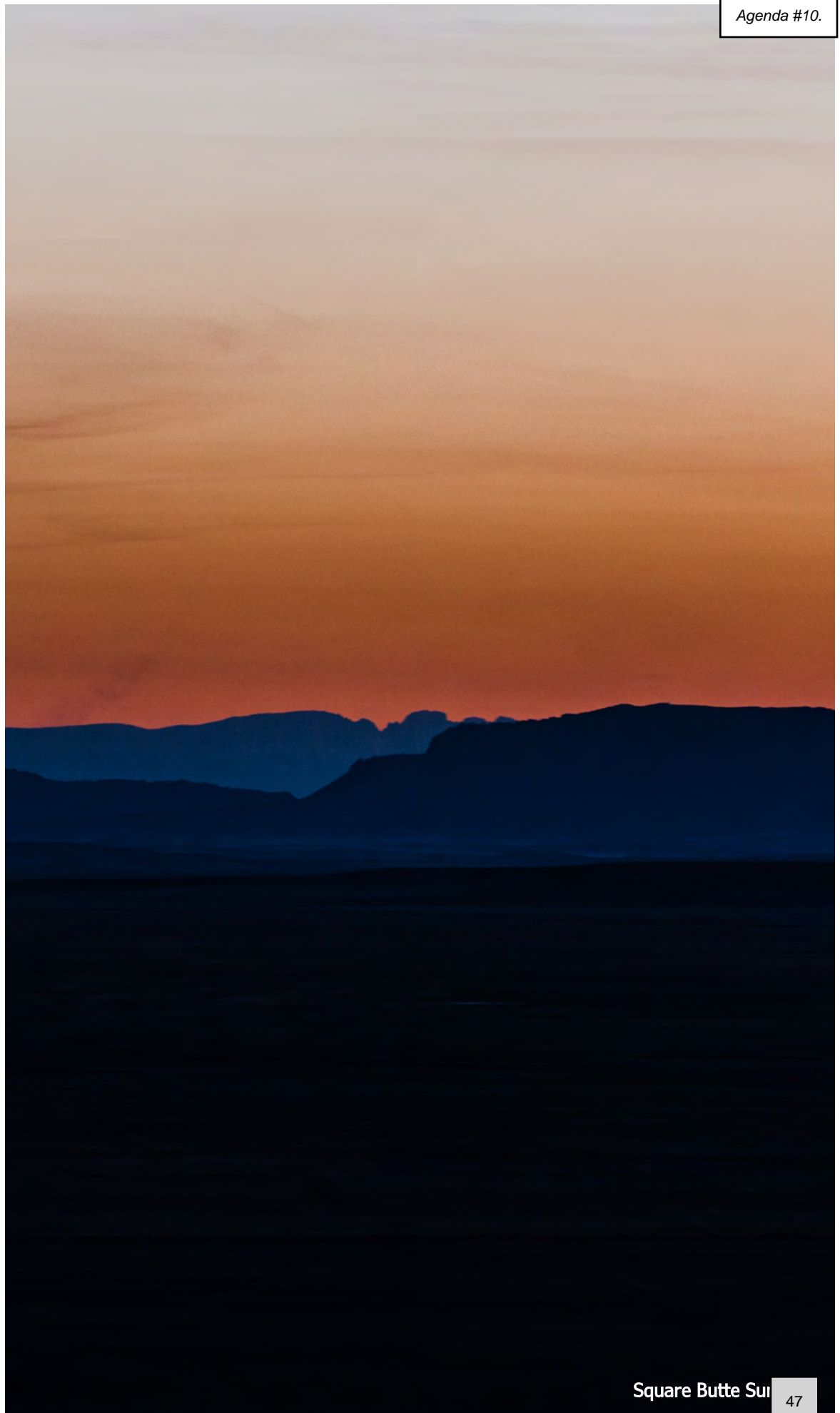
Great Falls Montana Tourism has maintained Reserves for investment in strategic priorities. The largest of these has been Montana ExpoPark, followed by Airline Service. In addition to strategic priority reserves, COVID-19 has taught us operating reserves are necessary. Great Falls Montana Tourism will maintain a \$350,000 operating reserve and work to rebuild a \$350,000 strategic investment reserve.

#### *RETAIN STAFF*

A professional, qualified staff produces returns on investment. With our team, we have seen 30%+ growth in social media followers, national conventions and events, and highly functioning operations. Great Falls Montana Tourism will continue to invest in highly trained staff and work to retail a quality workforce.

#### **MEASUREMENT FOR SUCCESS**

- Retain 90% of Current Members
- Get 75 NEW Members
- Get 4 NEW Conventions
- 45% Growth in Facebook Followers
- 45% Growth of Instagram Followers
- Establish 1,500 Twitter Followers
- Recover room demand to 60% of 2019 levels





Great Falls Montana Tourism Budget Summary  
July 1, 2020 - June 30, 2021

DRAFT

	CVB	GENERAL	TBID	Total		National
Income						
1 Bed Tax	\$96,739	\$0	\$0	\$96,739		
2 TBID Assessment	\$0	\$0	\$486,258	\$486,258		
3 Membership	\$0	\$0	\$0	\$0		
4 Advertising	\$0	\$0	\$0	\$0		
Total Income	<u>\$96,739</u>	<u>\$0</u>	<u>\$486,258</u>	<u>\$582,997</u>		
Expenses						
Personnel						
5 Wages	\$16,948	\$0	\$136,052	\$153,000		
6 Payroll Expense		\$0	\$35,190	\$35,190		
Total Personnel	<u>\$16,948</u>	<u>\$0</u>	<u>\$171,242</u>	<u>\$188,190</u>	32%	40%
Administration						
7 Rent	\$0	\$0	\$15,600	\$15,600		
8 Memberships	\$0	\$0	\$2,760	\$2,760		
9 Subscription	\$0	\$0	\$20,810	\$20,810		
10 Phone	\$0	\$0	\$5,220	\$5,220		
11 Maintenance	\$0	\$0	\$3,100	\$3,100		
12 Supplies	\$0	\$0	\$8,500	\$8,500		
13 Postage	\$0	\$0	\$1,000	\$1,000		
14 Insurance	\$850	\$0	\$2,800	\$3,650		
15 Professional Fees	\$1,550	\$0	\$19,525	\$21,075		
16 TAC	\$1,500	\$0	\$0	\$1,500		
17 Professional Development	\$0	\$0	\$2,500	\$2,500		
18 Travel	\$0	\$0	\$1,500	\$1,500		
Total Admin	<u>\$3,900</u>	<u>\$0</u>	<u>\$83,315</u>	<u>\$87,215</u>	15%	12%
19 Leisure Traveler Marketing	\$70,891	\$0	\$157,528	\$228,419	39%	
20 Conventions Meetings & Groups	\$0	\$0	\$42,989	\$42,989	7%	
21 ExpoPark	\$0	\$0	\$0	\$0	0%	
22 Opportunity	\$0	\$0	\$275,167	\$275,167	47%	
23 Photo Library	\$0	\$0	\$10,000	\$10,000	2%	
24 Video			\$10,000	\$10,000		
25 Visitor Guide	\$0	\$6,059	\$0	\$6,059	1%	
26 Joint Venture	\$5,000	\$0	\$0	\$5,000	1%	
27 Trade Shows	\$0	\$0	\$1,200	\$1,200	0%	
28 Website	\$0	\$0	\$15,000	\$15,000	3%	
31 Events	\$0	\$0	\$10,000	\$10,000	2%	
Total Expenses	<u>\$96,739</u>	<u>\$6,059</u>	<u>\$776,441</u>	<u>\$879,239</u>	102%	48%
Net Profit	<u>\$0</u>	<u>-\$6,059</u>	<u>-\$290,183</u>	<u>-\$296,241</u>		



Great Falls Montana Tourism Budget Summary  
July 1, 2020 - June 30, 2021  
Adopted 5-4-2021

	CVB	General	Safety	Relief	PPP #1	TBID	Total	+/-
Income								
1 Bed Tax	\$125,946	\$0	\$0	\$0		\$0	\$125,946	\$29,207
1a Previously Undistributed Bed Tax	\$18,285	\$0	\$0	\$0	\$0	\$0	\$18,285	\$18,285
2 TBID Assessment	\$0	\$0	\$0	\$0	\$0	\$635,453	\$635,453	\$149,195
3 Membership	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4 Grant			\$206,222	\$36,165	\$0	\$0	\$242,387	\$242,387
6 Loan	\$0	\$0	\$0	\$0	\$33,572	\$0	\$33,572	\$33,572
5 Sponsorships	\$0	\$0	\$0	\$0	\$0	\$30,000	\$30,000	\$30,000
Total Income	\$144,231	\$0	\$206,222	\$36,165	\$33,572	\$665,453	\$1,085,643	\$63,572
Expenses								
Personnel								
6 Wages	\$0	\$0	\$52,939	\$10,000	\$33,572	\$56,489	\$153,000	\$0
7 Payroll Expense	\$0	\$0	\$0	\$0	\$0	\$35,190	\$35,190	\$0
Total Personnel	\$0	\$0	\$52,939	\$10,000	\$33,572	\$91,679	\$188,190	\$0
Administration								
8 Rent	\$0	\$0	\$0	\$0	\$0	\$15,600	\$15,600	\$0
a Leasehold Improvements	\$0	\$0	\$0	\$0	\$0	\$120,000	\$120,000	\$120,000
9 Memberships	\$0	\$0	\$0	\$0	\$0	\$2,760	\$2,760	\$0
10 Subscription	\$0	\$0	\$0	\$240	\$0	\$20,810	\$21,050	\$240
11 Phone	\$0	\$0	\$0	\$0	\$0	\$5,220	\$5,220	\$0
12 Maintenance	\$0	\$0	\$0	\$815	\$0	\$3,100	\$3,915	\$815
13 Supplies	\$0	\$0	\$3,400	\$8,693	\$0	\$8,969	\$21,062	\$469
14 Postage	\$0	\$0	\$0	\$0	\$0	\$1,000	\$1,000	\$0
15 Insurance	\$850	\$0	\$0	\$0	\$0	\$2,800	\$3,650	\$0
16 Professional Fees	\$1,550	\$0	\$0	\$0	\$0	\$19,525	\$21,075	\$0
17 TAC	\$1,500	\$0	\$0	\$0	\$0	\$0	\$1,500	\$0
18 Professional Development	\$0	\$0	\$0	\$0	\$0	\$2,000	\$2,000	-\$500
19 Travel	\$0	\$0	\$0	\$0	\$0	\$500	\$500	-\$1,000
Total Admin	\$3,900	\$0	\$3,400	\$9,748	\$0	\$202,284	\$219,332	\$132,117
Leisure Traveler Marketing								
a Media	\$99,249	\$0	\$104,607	\$6,506	\$0	\$85,715	\$296,077	\$150,083
b Management	\$13,796	\$0	\$5,076	\$1,282	\$0	\$11,118	\$31,272	
c Production	\$9,551	\$0	\$1,904	\$887	\$0	\$7,007	\$19,348	
d Planning, Placement, & Reporting	\$12,735	\$0	\$5,711	\$1,183	\$0	\$12,175	\$31,804	
21 Podcast	\$0	\$0	\$0	\$1,520	\$0	\$0	\$1,520	\$1,520
21 Conventions Meetings & Groups	\$0	\$0	\$3,000	\$0	\$0	\$45,000	\$48,000	\$5,011
22 ExpoPark	\$0	\$0	\$0	\$0	\$0	-\$18,720	-\$18,720	-\$18,720
23 Opportunity	\$0	\$0	\$22,000	\$0	\$0	\$110,000	\$132,000	-\$143,167
24 Photo Library	\$0	\$0	\$0	\$0	\$0	\$10,000	\$10,000	\$0
25 Video	\$0	\$0	\$7,586	\$0	\$0	\$5,000	\$12,586	\$2,586
26 Visitor Guide	\$3,657	\$6,059	\$0	\$5,039	\$0	\$0	\$14,755	\$8,696
27 Joint Venture	\$5,000	\$0	\$0	\$0	\$0	\$0	\$5,000	\$0
28 Trade Shows	\$0	\$0	\$0	\$0	\$0	\$0	\$0	-\$1,200
29 Website	\$0	\$0	\$0	\$0	\$0	\$15,000	\$15,000	\$0
30 Events	\$0	\$0	\$0	\$0	\$0	\$10,000	\$10,000	\$0
31 Reserves	\$0	\$0	\$0	\$0	\$0	\$79,195	\$79,125	\$149,195
Total Expenses	\$147,889	\$6,059	\$206,222	\$36,165	\$33,572	\$665,453	\$1,095,289	\$216,051
Net Profit	-\$3,657	-\$6,059	\$0	\$0	\$0	\$0	-\$9,646	\$286,595

Tuesday, May 4, 2021, 1:00 PM – 2:00 PM,

<https://us02web.zoom.us/j/5456501810?pwd=WjlYbXp5dkl5MjEzNEMwZ2ZVT3RDUT09>

Trustees: Peggy O'Hare-Becker, Scott Schull, Sandra Johnson-Thares, Becky Amaral-Miller, Laurie Price, David Buckingham

Guests: Susan Shannon, Lexi Jones, Scott Lettre, Peter Jennings, Tom Nelson

Staff: Rebecca Engum

1:06 | 1. Welcome, Call to Order –Sandra Johnson-Thares

1:07 | 2. Public Comment – Sandra Johnson-Thares  
Opportunity for public comment related to items on the agenda

No Public Comment

1:09 | 4. Big River Ruckus – Tom Nelson  
Take action as deemed necessary.

Motion made to approve \$12,000 investment from reserves for additional entertainment for the Big River Ruckus. Seconded. Discussion about the acts and impact to lodging, marketing budget, sponsorships secured, interest of people to attend based on acts, other activities occurring, investment already committed. All in favor. None apposed. The motion passed.

1:35 | 3. 2021 Budget Amendment – Rebecca Engum  
Approve/Deny 2021 Budget Amendment to include new line-item expense for 15 Overlook Drive leasehold improvements.

Motion made to approve \$120,000 for leasehold improvements at 15 Overlook Drive. Seconded. Discussion about construction costs, reserves, prioritized investment, grant potential, lease agreements. All in favor. None apposed. The motion passed.

Motion made to approve 2021 Budget Amendment to include new line-item expense for 15 Overlook Drive leasehold improvements. Seconded. All in favor. None apposed. The motion passed.

2:05 | 5. Paycheck Protection Program #2 Loan – Rebecca Engum  
Approve/Deny apply for Paycheck Protection Program #2 Loan.

Motion made to approve apply for Paycheck Protection Program #2 Loan. Seconded. Discussion on forgiveness for PPP#1 and PPP#2, eligibility, interest rate. All in favor. None apposed. The motion passed.

2:14 | 6. Public Comment – Sandra Johnson-Thares

Opportunity for public comment related to Tourism in Great Falls, Montana

No Public Comment

2:16 | 7. Adjourn – Sandra Johnson-Thares



Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Conduct a public hearing for Resolution 10399, a Great Falls International Airport Tax Increment Financing Funding Application

**From:** Alaina Mattimiro, Planner I, Planning and Community Development

**Initiated By:** Great Falls Airport Authority

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

**Action Requested:** City Commission adopt Resolution 10399

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**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 10399, approving an Industrial Development Project proposed by the Great Falls International Airport Authority within the Great Falls International Airport District; approving the application for use of tax increment revenues and tax increment revenue bonds to pay, reimburse or finance the costs of associated infrastructure improvements, making a reimbursement declaration and approving the associated Development Agreement.”

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

**Staff Recommendation:** Staff recommends approval of the proposed TIF funding request based on the findings of the required criteria. The Planning Advisory Board recommended approval of the TIF request at its meeting held on February 23, 2021.

**Background:** Tax increment financing (TIF) is a mechanism that allows communities to use new tax dollars resulting from increasing taxable value for reinvestment within the geographic area in which they are derived for a period of 15 years, or up to 40 years if the incremental taxes are pledged to the repayment of a bond. The City of Great Falls currently has five TIF districts.

Prior to 1989, tax increments could only be used for rehabilitation efforts within urban renewal areas, but

Montana legislature amended the Montana Urban Renewal Law to enable municipalities to create industrial TIF districts to assist in the development and retention of secondary, value-adding industries. Since then, Montana has defined “secondary, value-adding industries” as those industries that transform raw resources into processed substances from which industrial or consumer products may be manufactured.

In 2013, the State created Targeted Economic Development Districts (TEDDs), and replaced the previously allowed industrial TIF districts. While new Tax Increment Financing Industrial Districts cannot be created any longer, existing TIFIDs may continue their existence until they sunset. Montana Code Annotated no longer addresses TIFID criteria, but the districts that still exist are required to follow the original criteria and regulations, rather than taking on their newer counterparts’ (TEDDs) more flexible standards.

The Great Falls International Airport Tax Increment Financing Industrial District Plan (GFIA TIFID) was adopted by the Great Falls City Commission on November 5, 2008. The boundaries were amended on September 1, 2009. The GFIA TIFID encompasses property surrounding the airport, as depicted in the attached map. The purpose of creating the GFIA TIFID was to meet the needs and interests of GFIA which included fostering the development of secondary, value adding industries in the City of Great Falls as part of its overall mission to promote aviation related economic development, to improve area employment opportunities, and expand the tax base.

**Summary:** The applicant, the Great Falls International Airport Authority, is seeking TIF funds to begin development of a 300-acre area west of the Cascade County Detention Center, north of the I-15 corridor and south of the Ulm North Frontage Road. The area is owned by the Airport and was identified in the Airport Authority Master Plan Update for aviation commercial development. TIF funds are being requested to support construction of the following infrastructure improvements:

1. Water service lines
2. Sewer service lines
3. Storm sewer improvements, including a new detention pond
4. Electric/data service lines
5. Two roadway access points into the site and a circulation road that would both support the proposed development and open up additional area for future development

The infrastructure improvements will be constructed on land that is currently owned, and will continue to be owned, by the Airport. The infrastructure improvements will be constructed to support a phased industrial development project consisting of industrial condo spaces. They will be large metal buildings subdivided into condominium bay spaces that will be marketed and leased or sold to businesses and individuals. The buildings will be capable of accommodating businesses looking for anywhere between 1,250 square foot bays to an entire 30,000 square foot building. The first phase of development will include construction of the infrastructure improvements as well as construction of a single building containing 3-8 full drive-through bays, which could be further divided into 6-16 half-bays. At this point, one building tenant is known and would utilize two of the building bays. This tenant is Falls Truck Wash. This would be a drive-through wash facility catering to: 1) trucks entering Canada that are required to be washed prior to entry into the country, and 2) trucks carrying crops, food products, and livestock that must be washed between loads to avoid contamination. Remaining owners/tenants will be dependent on market demand, with the Airport estimating that there is enough market demand to construct three buildings for industrial users over the next ten years.

The applicant plans to start construction of the infrastructure improvements in the spring of this year. This will require an investment of \$973,028 prior to building construction. The applicant is seeking \$110,000 of available funds from the GFIA TIFID to reimburse eligible infrastructure improvement design (\$70,000) and construction (\$40,000). Additionally, the applicant has requested that the City bond against current and future TIF increment revenue to reimburse the Airport for an additional \$652,780 of eligible construction costs. This creates a total request of \$762,780 for TIF funding. The overall investment in the project over a 20-year development period, including the GFIA TIFID contribution, is estimated to be \$12,626,667.

## **Review Criteria:**

### ***Preliminary Findings***

After thorough review and evaluation of the Project as represented by the applicant's written proposal, City staff has determined:

- No persons will be displaced from their housing by the Project or the infrastructure improvements.
- The Project and the infrastructure improvements substantially satisfy the review criteria of the funding application process and meet the purpose and goals of the State Law, the GFIA TIFID and Plan.
- If the applicant is able to follow through on leasing/selling buildings to value-added manufacturing users, the Project would constitute an industrial infrastructure development project in accordance with the Act.
- The infrastructure improvements constitute infrastructure improvements for the purpose of encouraging the growth and retention of secondary, value-adding industries in accordance with the Act.
- A sound and adequate financial program exists for the financing of the infrastructure improvements.

### ***Montana Code Annotated (MCA) TIF Regulations***

The creation and administration of TIF districts are governed by State Law. According to Montana Code Annotated (MCA) Section 7-15-4298 (2013), provides as follows:

- (1) infrastructure-deficient areas exist in the municipalities of the state and constitute a serious impediment to the development of infrastructure-intensive, secondary, value-adding economic development in Montana;
- (2) municipalities lack sufficient capital to rectify the infrastructure shortage in infrastructure-deficient areas, thus impeding the ability of municipalities to achieve economic growth through the development of secondary, value-adding industries;
- (3) the creation of industrial infrastructure is a matter of state policy and state concern because the state and its municipalities will continue to suffer economic dislocation due to the lack of secondary, value-adding industries; and
- (4) the state's tax increment financing laws should be used to encourage the creation of areas in which needed industrial infrastructure for secondary, value-adding industries could be developed.

MCA Section 7-15-4288 (2013), provides that tax increment with respect to industrial development districts can only be used for the following purposes: The tax increment may be used by the local

government to pay for the following costs of or incurred in connection with an industrial infrastructure development project:

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

### ***City of Great Falls TIF Review Criteria***

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

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

**Staff Analysis** – Staff finds that the proposed improvements will benefit and positively impact the GFIA TIFID. There is a lack of any storm water infrastructure near the site. While there is a water main and sewer main near the site along the north side of Ulm Frontage Road North, the 300 acres has no driveway approaches or utility service lines. By funding these infrastructure improvements, the City will not only support the applicant's current development request but lay the foundation for future development of the southwest area of the Airport's property. No infrastructure will be turned over to the City of Great Falls, but the infrastructure will still be owned by a public entity – the Airport.

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

**Staff Analysis** – The applicant's request is under the 10% threshold outlined in this criteria. The construction of new infrastructure will provide support for not only the proposed industrial development, but for any future projects as well. As a result, businesses and individuals will see increasingly feasible development costs. This will jump-start even more interest and attraction to the currently vacant property.

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

**Staff Analysis** – The Great Falls International Airport is a property tax exempt entity, but the potential of the buildings to be leased or owned by other entities does create the potential for increased assessed valuation. With the improvement of public infrastructure, future development within the GFIA TIFID will continue to become more feasible and potentially create additional assessed property tax and beneficial use tax valuation for the GFIA TIFID.

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

**Staff Analysis** – The Airport Authority has estimated that twelve construction jobs will be created with the Project. Additional permanent and part-time jobs will be created with new development; each tenant within the proposed buildings will create new employment opportunities.

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

**Staff Analysis** – The purpose of an Industrial TIF district is to attract and retain secondary-value adding, manufacturing industries through the development of industrial infrastructure. The applicant's proposal to add utility service lines, electric and fiber infrastructure, storm water detention, and access driveways will fulfill the objectives of the TIF district to providing supporting infrastructure to encourage industrial development.

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

**Staff Analysis** – The GFIA TIFID provides many unique challenges and opportunities. Because of the proximity to active runways, commercial development can be difficult, thus it is an ideal area for industrial



users. Such users could naturally benefit from the proximity to I-15, the Canadian border, and the FedEx hub. The development will also give necessary access to air freight and related opportunities that other properties cannot provide. The applicant is modeling the project on similar industrial developments near airports in the Rocky Mountain region; for instance, one that is underway in Bozeman near its airport. That project has been successful in attracting manufacturers, fabricators and other industrial users. While the applicant's first truck wash user is not a manufacturing business, the applicant asserts that the Project represents an opportunity to eventually attract secondary, value-adding industries given the overall nature of the Project and the infrastructure improvements.

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

**Staff Analysis** – Part of the uniqueness of this proposal is that the area is almost entirely vacant, with the exception of the Cascade County Detention Center located to the east of the subject site. The proposed industrial bays would only have positive impacts on the area, attracting more businesses and development through increased public infrastructure access. Any potential environmental impact will be mitigated through adherence to local, state and federal regulations.

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

**Staff Analysis** – The Airport Authority will not be asking for any tax abatements, grants, tax credits, or other financial assistance. The cost of the Project will be funded by the Airport and its private investment partner.

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

**Staff Analysis** – As noted earlier in the agenda report, the Authority has indicated that a truck wash will occupy two bays within the first building. The Authority also anticipates that there will be enough market demand for three buildings within the first ten years. The applicant has represented that it will actively seek secondary, value-adding industries as tenants/owners of the various building bays. This is based on the applicant's confidence that the Authority will achieve similar success as is occurring in Bozeman as well as other communities that have been studied. The Development Agreement included with the agenda report outlines the Airport's burden to market the site and attract such users as a requirement for TIF funding.

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

**Staff Analysis** – The Airport regularly completes several million dollars of capital projects each year based on facility master plan needs. The Airport also received funding approval and recently executed a TIF funded project in 2018 involving infrastructure construction to support its Southwest General Aviation Complex.

- 11) Timely Compensation – The feasibility of completing the development according to the

Applicant's development schedule.

**Staff Analysis** – Staff believes that the applicant will be able to meet the development schedule as noted within the application. The Airport Authority plans to commence development of infrastructure in Spring 2021 and Phase I building construction in Summer 2021. Dick Anderson Construction has already been retained as the project contractor and a possible investor in the project.

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

**Staff Analysis** – There are currently no outstanding tax issues within the district.

**Fiscal Impact:** Since so much of the property in the GFIA TIFID is tax exempt, the balance of funds in the GFIA TIFID is relatively low – approximately \$118,000. The applicant is requesting the vast majority of this balance - \$110,000 to be reimbursed for infrastructure design costs and a small amount of the construction costs. City TIF districts receive increment payments twice each year. With the pending development of Love's Travel Stop & Country Store, there will be additional increment created in the GFIA TIFID. With this noted, the GFIA TIFID is nearing its sunset year of 2023. Because of the impending sunset of the TIF and relatively low balance, the applicant has requested that the City extend the life of the GFIA TIFID and incur debt to bond for the remaining public improvement costs. The bonding evaluation process has not yet occurred, but would be thoroughly vetted through the City Commission.

**Alternatives:** The City Commission could choose to deny the TIF funding request.

**Concurrences:** The Applicant's request for TIF funding has been reviewed by the City's Finance and Legal Departments, as well as the City's Manager's Office. The City's outside legal counsel firm Dorsey & Whitney LLP has worked extensively with City staff on reviewing the Project's eligibility for TIF funding as well as the Development Agreement.

**Attachments/Exhibits:**

Resolution 10399

Airport TIF Development Agreement

Airport TIF Plan – Ordinance 3022

Location Map

TIF Application

# CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Great Falls, Montana (the “City”), hereby certify that the attached resolution is a true copy of Resolution No. 10399 entitled: “A RESOLUTION APPROVING AN INDUSTRIAL DEVELOPMENT PROJECT IN THE GREAT FALLS INTERNATIONAL AIRPORT TAX INCREMENT FINANCING INDUSTRIAL DISTRICT; APPROVING THE USE OF TAX INCREMENT REVENUES AND TAX INCREMENT REVENUE BONDS TO PAY, REIMBURSE OR FINANCE COSTS OF ASSOCIATED INFRASTRUCTURE IMPROVEMENTS; AND MAKING A REIMBURSEMENT DECLARATION WITH RESPECT THERETO” (the “Resolution”), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission of the City at a regular meeting on May 18, 2021, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_; voted against the same: \_\_\_\_\_  
 \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_  
 \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 City Clerk

## RESOLUTION NO. 10399

A RESOLUTION APPROVING AN INDUSTRIAL DEVELOPMENT PROJECT IN THE GREAT FALLS INTERNATIONAL AIRPORT TAX INCREMENT FINANCING INDUSTRIAL DISTRICT; APPROVING THE USE OF TAX INCREMENT REVENUES AND TAX INCREMENT REVENUE BONDS TO PAY, REIMBURSE OR FINANCE COSTS OF ASSOCIATED INFRASTRUCTURE IMPROVEMENTS; AND MAKING A REIMBURSEMENT DECLARATION WITH RESPECT THERETO

BE IT RESOLVED by the City Commission (the “Commission”) of the City of Great Falls, Montana (the “City”), as follows:

Section 1. Recitals.

1.01. Under the provisions of the Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the “Act”), an industrial district may be established so that a municipality may undertake industrial infrastructure projects therein, provide for the segregation and collection of tax increment with respect to taxes collected in such district, issue its bonds to pay the costs of such projects, and pledge to the repayment of the bonds all or a portion of the tax increment derived from such district.

1.02. The Commission, pursuant to Ordinance No. 3022, duly adopted on November 5, 2008, and revised by Ordinance No. 3043, duly adopted on September 1, 2009 (as such may be further amended and supplemented, (the “Ordinance”), created an industrial district known as the Great Falls International Airport Tax Increment Financing Industrial District (the “District”) and adopted the Great Falls International Airport Tax Increment Financing Industrial District Plan (the “Plan”) containing a tax increment financing provision. As set forth in the Plan, the purpose of the District is to attract, grow and retain secondary, value-adding industries and the City has identified numerous infrastructure improvements necessary in order to further the objectives of the City and the Authority with respect to the development of the District.

1.03. The Great Falls International Airport Authority, a regional airport authority created by the City and Cascade County, Montana (the “Authority”), proposes to undertake a multi-year, multi-phase development project on a 300-acre site in the District located at 4201 Ulm North Frontage Road Great Falls, Montana 59404, which shall consist of the construction of large metal warehouse buildings to be initially owned by the Airport and a private investment partner and which will be subdivided into smaller bays, converted into condominium units and leased and/or sold primarily to third parties engaged in secondary, value-adding industries in furtherance of the purposes of the District as set forth in the Plan (the “Project”). The first phase of the Project will consist of the construction of a single Warehouse Building.

1.04. The Authority submitted a City of Great Falls Tax Increment Financing (TIF) Application for Funds dated February 12, 2021 for tax increment financing assistance with respect to certain qualified improvements associated with the Project, consisting of design and

construction of electric/data service lines, water lines, sewer lines, storm sewer improvements, and roadway approaches (the “Infrastructure Improvements”), at an estimated cost of \$762,510.

1.05. The City’s Finance, Planning and Community Development, Park and Recreation and Public Works department heads and the Assistant City Manager (the “City Staff”) have jointly reviewed and evaluated the Project and the Infrastructure Improvements and made a report and recommendation (the “City Staff Report”) to the effect that the Project and the Infrastructure Improvements would be beneficial to the public and would result in the rehabilitation and redevelopment of the District, that the Infrastructure Improvements are eligible for tax increment financing in accordance with the Act and the purpose and goals of the District and the Plan, and that the City enter into a development agreement with the Authority with respect to the Project and the Infrastructure Improvements substantially in the form attached hereto as Exhibit A (the “Development Agreement”).

1.06. On February 23, 2021, the City Planning Board (the “Planning Board”) received, reviewed and considered the City Staff Report, as well as information from a representative of the Developer and has made recommendation to the Commission to the effect that Project conforms to the City’s comprehensive plan and the City’s Growth Policy adopted in accordance with Title 76, Chapter 1, and that the Project and Infrastructure Improvements should be approved as an industrial development project and that tax increment revenues of the District be used to finance the Infrastructure Improvements.

Section 2. Findings. Based on the foregoing representations and subject to the public hearing called for herein, the Commission hereby finds, with respect to the Project (including the Infrastructure Improvements), as follows:

- (a) no persons will be displaced from their housing by the Project (including the Infrastructure Improvements);
- (b) the Plan and the Project (including the Infrastructure Improvements) conform to the City’s growth policy;
- (c) the Plan and the Project (including the Infrastructure Improvements) will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment in the District by private enterprise; and
- (d) taking into account the use of tax increment revenues and the proceeds of tax increment revenue bonds, there is a sound and adequate financial program for the payment, reimbursement and financing by the City of the costs of the Infrastructure Improvements; and
- (e) the Project (including the Infrastructure Improvements) constitutes an industrial development project within the meaning of the Act and the Plan.

Section 3. Approval of the Project as an Industrial Development Project. The Commission hereby approves the Project as an industrial development project under the Act and the Plan. The Project, including the Infrastructure Improvements, is contemplated by and within the scope of the Plan, and the Infrastructure Improvements are eligible for tax increment financing under the Act.

Section 4. Approval of Development Agreement. The Commission hereby approves the Development Agreement. The City Manager and City Clerk are hereby authorized to execute and deliver the Development Agreement, substantially in the form presented to the Commission, with such changes (including to the exhibits attached thereto) as may be approved by the City Manager, in consultation with Dorsey & Whitney LLP, as bond counsel, which approval shall be deemed made by the execution thereof. The execution of the Development Agreement shall be a condition precedent to the reimbursement of the Infrastructure Improvements.

The City intends to pay or reimburse the Authority for costs of the Infrastructure Improvements using tax increment revenues on hand and proceeds of tax increment revenue bonds to be issued by the City (the “Bonds”) in accordance with the terms and conditions set forth in the Development Agreement. The payment terms of any such Bonds (including principal amount, interest rates and maturity schedule) shall be reflected in a bond resolution to be approved and adopted by Council, and shall take into account the tax increment revenue of the District expected to be received by the City and available to pay debt service.

#### Section 5. Reimbursement Expenditures.

5.01. Regulations. The City may issue tax-exempt Bonds in one or more series (the “Bonds”) to finance all or a portion of the costs of the Infrastructure Improvements and pay costs associated with the financing. The United States Department of Treasury has promulgated regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the Authority for project expenditures paid by the Authority prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the “Regulations”) require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

5.02. Prior Expenditures. Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iii) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Infrastructure Improvements have been paid by the City before the date 60 days before the date of adoption of this Resolution.

5.03. Declaration of Intent. The City reasonably expects that it may reimburse the expenditures made for the Infrastructure Improvements out of the proceeds of Bonds in an estimated maximum aggregate principal amount of \$652,780 after the date of payment of all or a portion of the costs of the Infrastructure Improvements. All reimbursed expenditures shall be

capital expenditures, a cost of issuance of the bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

5.04. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the portion of the Infrastructure Improvements to be financed with the proceeds of Bonds, other than pursuant to the issuance of the Bonds. The statement of intent contained in this Resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

5.05. Reimbursement Allocations. The City's Finance Director shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Infrastructure Improvements. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Infrastructure Improvements and shall specifically identify the actual original expenditure being reimbursed.

Passed and adopted by the City Commission of the City of Great Falls, Montana, on this 18th day of May, 2021.

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Bob Kelly, Mayor

Attest:

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Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney



EXHIBIT A

DEVELOPMENT AGREEMENT

## DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is dated as of May \_\_\_\_, 2021, between the CITY OF GREAT FALLS, a municipal corporation of the State of Montana (the “**City**”), and the GREAT FALLS INTERNATIONAL AIRPORT AUTHORITY, a regional airport authority created by the City and Cascade County, Montana (the “**Authority**”) for the ownership and operation of the Great Falls International Airport (the “**Airport**”).

### W I T N E S S E T H:

WHEREAS, under the provisions of the Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the “**Act**”), an industrial district may be established so that a municipality may undertake industrial infrastructure projects therein, provide for the segregation and collection of tax increment with respect to taxes collected in such district, issue its bonds to pay the costs of such projects, and pledge to the repayment of the bonds all or a portion of the tax increment derived from such district; and

WHEREAS, the City Commission, pursuant to Ordinance No. 3022, duly adopted on November 5, 2008, and revised by Ordinance No. 3043, duly adopted on September 1, 2009 (as such may be further amended and supplemented, (the “**Ordinance**”), created an industrial district known as the Great Falls International Airport Tax Increment Financing Industrial District (the “**District**”) and adopted the Great Falls International Airport Tax Increment Financing Industrial District Plan (the “**Plan**”) containing a tax increment financing provision; and

WHEREAS, as set forth in the Plan, the purpose of the District is to attract, grow and retain secondary, value-adding industries and the City has identified numerous infrastructure improvements necessary in order to further the objectives of the City and the Authority with respect to the development of the District; and

WHEREAS, the Authority proposes to undertake a multi-year, multi-phase development project on a 300-acre site in the District located at 4201 Ulm North Frontage Road Great Falls, Montana 59404, which shall consist of the construction of large metal warehouse buildings (the “**Warehouse Buildings**”) to be initially owned by the Airport and a private investment partner and which will be subdivided into smaller bays (the “**Warehouse Bays**”), converted into condominium units and leased and/or sold primarily to third parties engaged in Secondary Industries (as defined herein) in furtherance of the purposes of the District as set forth in the Plan (the “**Project**”); and the first phase of the Project will consist of the construction of a single Warehouse Building for such purposes (the “**2021 Project**”).

WHEREAS, the Authority submitted a City of Great Falls Tax Increment Financing (TIF) Application for Funds dated February 12, 2021 (the “**Application**”) for tax increment financing assistance with respect to certain qualified improvements associated with the Project, consisting of design and construction of electric/data service lines, water lines, sewer lines, storm sewer improvements, and roadway approaches as further described on Exhibit A hereto (the “**Infrastructure Improvements**”); and

WHEREAS, the City has determined, based on representations of the Authority, that the Project and the Infrastructure Improvements constitute an industrial development project (as defined in the Act) under the Act and the Plan and that the Infrastructure Improvements are authorized by the Plan, and pursuant to Resolution No. 10399, duly adopted on May 18, 2021, the City is authorized to enter into this Agreement which sets forth the obligations of the City and the Authority with respect thereto.

NOW THEREFORE, the City and the Authority, each in consideration of the representations, covenants and agreements of the other, as set forth herein, mutually represent, covenant and agree as follows:

Section 1. Definitions; Rules of Interpretation; Exhibits.

1.1. Definitions. For all purposes of this Agreement, except as otherwise expressly provided or unless the context clearly requires otherwise, the following terms have the meanings assigned to them, respectively:

“**Act**” has the meaning given such term in the recitals.

“**Actual Taxable Value**” means the taxable value (as defined in the Act) of the Taxable Property as shown on or calculated from the assessment roll last equalized before the date of reference.

“**Agreement**” means this Agreement, including any amendment hereof or supplement hereto entered into in accordance with the provisions hereof.

“**Authority**” has the meaning given such term in the preamble.

“**Base Taxable Value**” means the Actual Taxable Value as of January 1, 2008, as such value is adjusted from time to time in accordance with the Act.

“**Bond Resolution**” means a resolution to be adopted by the Commission pursuant to which the Bonds shall be issued.

“**Bonds**” means the Tax Increment Industrial Infrastructure Development Revenue Bonds (Great Falls International Airport Tax Increment Financing Industrial District) to be issued by the City pursuant to this Agreement and the Bond Resolution.

“**City**” means the City of Great Falls, Montana, or any successors to its functions under this Agreement.

“**Commission**” means the City Commission or any successor governing body of the City, however denominated by statute.

“**Department of Revenue**” means the State of Montana Department of Revenue.

“**District**” has the meaning given such term in the recitals.

**“Environmental Laws and Regulations”** means and includes the Federal Comprehensive Environmental Compensation Response and Liability Act, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. §§ 9601 et seq.; the Federal Resource Conservation and Recovery Act of 1976, 42 U.S.C. §§ 6901 et seq.; the Clean Water Act, 33 U.S.C. § 1321 et seq.; and the Clean Air Act, 42 U.S.C. §§ 7401 et seq., all as the same may be from time to time amended, and any other federal, State, county, municipal, local, or other statute, code, law, ordinance, regulation, requirement, or rule which may relate to or deal with human health or the environment including without limitation all regulations promulgated by a regulatory body pursuant to any such statute, code, law, or ordinance.

**“Fiscal Year”** means the period commencing on the first day of July of any year and ending on the last day of June of the next calendar year, or any other twelve-month period authorized by law and specified by the Commission as the City’s fiscal year.

**“Incremental Taxable Value”** means the amount, if any, by which the Actual Taxable Value, as of the date of reference, exceeds the Base Taxable Value.

**“Indemnified Parties”** has the meaning given such term in Section 6.1 hereof.

**“Infrastructure Improvements”** means those improvements in the District described on Exhibit A hereto.

**“Land Use Regulations”** means all federal, State and local laws, rules, regulations, ordinances and plans relating to or governing the development or use of the Project Site or the Project, including under the Act with respect to Secondary Industries.

**“Ordinance”** has the meaning given such term in the recitals.

**“Person”** means any individual, corporation, partnership, joint venture, association, committee, limited liability company, limited liability partnership, joint stock company, trust, unincorporated organization, or any government or any agency or political subdivision thereof.

**“Plan”** has the meaning given such term in the recitals.

**“Prevailing Wage Rates”** has the meaning given such term in Section 3.3 hereof.

**“Project”** has the meaning given such term in the recitals.

**“Project Site”** has the meaning given such term in Section 2.2 hereof.

**“Secondary Industries”** means those industries that transform raw resources into processed substances from which industrial or consumer products may be manufactured.

**“State”** means the State of Montana.

**“Tax Increment”** means the amount received by the City pursuant to the Act from the extension of levies of Taxes against the Incremental Taxable Value of the Taxable Property and

will include all payments in lieu of Taxes or beneficial use taxes attributable to the Incremental Taxable Value.

**“Taxable Property”** means all real and personal property located in the District and subject to Taxes.

**“Taxes”** means all taxes levied on an ad valorem basis by any Taxing Jurisdiction against the Taxable Property and includes all payments in lieu of taxes or beneficial use taxes received by the City with respect to the Incremental Taxable Value of the Taxable Property.

**“Taxing Jurisdiction”** means the State, the City, any school district, local government, municipal corporation, political subdivision, or other government entity that levies, during any Fiscal Year during which the tax increment provision of the District is effective under the Act, ad valorem taxes against real or personal property in the District.

**“2021 Project”** has the meaning given such term in the recitals.

**“Unavoidable Delay”** means a delay resulting from a cause over which the party required to perform does not have control and which cannot or could not have been avoided by the exercise of reasonable care, including but not limited to acts of God, accidents, war, civil unrest, embargoes, strikes, unavailability of raw materials or manufactured goods, litigation and the delays of the other party or its contractors, agents, or employees in the performance of their duties under or incident to this Agreement.

## 1.2. Rules of Interpretation.

(a) The words “herein,” “hereof” and words of similar import, without reference to any particular section or subdivision, refer to this Agreement as a whole rather than to any particular section or subdivision hereof.

(b) References herein to any particular section or subdivision hereof are to the section or subdivision of this Agreement as originally executed unless otherwise indicated.

(c) “Or” is not exclusive but is intended to contemplate or encompass one, more, or all of the alternatives conjoined.

1.3. Exhibits. The following Exhibits are attached to and by reference made a part of this Agreement:

Exhibit A—Infrastructure Improvements

Exhibit B—2021 Project Costs and Sources of Funds

Exhibit C—Form of Authority Requisition

Section 2. Representations, Covenants and Agreements.

2.1. City Representations. The City hereby represents, covenants and agrees as follows:

(a) Subject to the terms and conditions of this Agreement, the City is committed to paying or reimbursing the Authority \$762,510 with respect to the costs of design, engineering, construction and installation of the Infrastructure Improvements as set forth on Exhibit A hereto.

(b) The City is authorized by law to enter into this Agreement, apply Tax Increment funds on hand and, upon adoption of the Bond Resolution, issue Bonds in order to carry out its commitments hereunder.

(c) The State Department of Revenue has advised the City that as of January 1, 2008 the Base Taxable Value of the District was \$107,149.

2.2. Authority Representations. The Authority hereby represents, covenants and agrees as follows:

(a) The Authority is a regional airport authority created by the City and Cascade County, Montana pursuant to Joint Resolution No. 7451 (City) and 80-1 (County) (the “**Joint Resolution**”) for the operation of the Great Falls International Airport pursuant to the provisions of Section 67-11-103, Montana Code Annotated.

(b) The representations and warranties of the Authority in the Application are true and correct as of the date hereof, including with respect to the total investment to be made by the Authority and its private investment partner with respect to the Project and the Infrastructure Improvements.

(c) The Project and the Infrastructure Improvements constitute an industrial development project (as defined in the Act) under the Act and the Plan. Development of the Project will assist the Authority in attracting, growing, and retaining Secondary Industries by providing flexible, cost-effective, industrial buildings that can be subdivided into 1,250 to 30,000+ square foot Warehouse Bays sharing common infrastructure. The industrial buildings will include high ceilings, welding-capable electric, oil -water separators and other industrial features. This type of industrial space is underserved in the City. The Warehouse Bays will be leased and/or sold primarily to third parties engaged in Secondary Industries in furtherance of the purposes of the District as set forth in the Plan.

(d) The Authority has good and marketable title to the land upon which the Project and the Infrastructure Improvements shall be constructed and installed (the “**Project Site**”), free and clear of all liens, encumbrances and defects except such as do not materially affect the value of the Project Site or materially interfere with the use made and proposed to be made of the Project Site by the Authority.

(e) The Authority estimates the total cost of the Infrastructure Improvements is \$762,510 as described in Exhibit A hereto, the total cost of the 2021 Project is \$1,330,000 as described in Exhibit B hereto, and the total cost of the Project is \$12,447,661.

(f) The Authority is not aware of any facts the existence of which would cause the Authority to be in violation of any Environmental Laws and Regulations applicable to the Project Site, the Project, or the Infrastructure Improvements. The Authority has not received from any local, State, or federal official any notice or communication indicating that the activities of the Authority may be or will be in violation of any Environmental Laws and Regulations applicable to the Project Site, the Project or the Infrastructure Improvements.

(g) Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement is prohibited or limited by, conflicts with or results in a breach of the terms, conditions or provisions of the Joint Resolution or any other resolution of the Authority or any evidence of indebtedness, agreement or instrument of whatever nature to which the Authority is now a party or by which it is bound, or constitutes a default under any of the foregoing.

(h) There is no action, suit, investigation or proceeding now pending or, to the knowledge of the Authority, threatened against or affecting the Authority or its business, operations, properties or condition (financial or otherwise) before or by any governmental department, commission, board, authority or agency, or any court, arbitrator, mediator or grand jury, that could, individually or in the aggregate, materially and adversely affect the ability of the Authority to complete the Project.

### Section 3. Authority's Undertakings.

3.1. Construction of Project and Infrastructure Improvements. The Authority hereby agrees and commits to the City that it will diligently prosecute to completion the construction of the Project and the Infrastructure Improvements in accordance with the Application, this Agreement, the plans submitted to the City and all applicable federal, State and local laws, rules, regulations and ordinances relating to or governing the development or use of the Project and the Infrastructure Improvements, including applicable Land Use Regulations and Environmental Laws and Regulations. The Authority agrees and commits to the City that construction of the Infrastructure Improvements shall be completed by December 31, 2022 and the 2021 Project shall be completed by December 31, 2023, subject in each case to Unavoidable Delays. The total costs of the Infrastructure Improvements and the 2021 Project are shown on Exhibit A and Exhibit B hereto, respectively. The Authority has the financial capacity to complete the Infrastructure Improvements and the 2021 Project, and the Authority agrees to pay all such costs thereof. If there is an increase in the costs of the Infrastructure Improvements or the 2021 Project from that shown on Exhibit A and Exhibit B hereto that cannot be covered by the contingency amount, the Authority shall notify the City of the increase and submit additional evidence in a form acceptable to the City that the Authority has the financial capacity and/or financial commitments to cover such additional costs and complete the Infrastructure Improvements and the 2021 Project. The Authority acknowledges and agrees that the City is not

responsible for installing, constructing or otherwise providing the Project or the Infrastructure Improvements.

3.2. Preparation, Review and Approval of Construction Plans. In connection with the Project, the Authority, at its sole expense, shall prepare and submit construction plans, drawings, and related documents for each portion of the Project and the Infrastructure Improvements to the appropriate City officials for architectural, engineering or land use review and written approval or permits. The Authority acknowledges that no review or approval by City officials may be in any way construed by the Authority to replace, override or be in lieu of any required review, inspection, or approval by the City Planning and Community Development Office, the City Public Works Department, or any other building construction official review or approvals required by any State laws or local ordinances or regulations.

3.3. Competitive Bidding; Prevailing Wage Rates; and Preference for Montana Residents. The Authority and the City are each obligated to follow certain laws with respect to the expenditure of public funds, which includes Tax Increment funds. The Authority agrees that in the awarding of contracts or subcontracts for the Infrastructure Improvements that (i) it will and it will cause its contractors to competitively bid the contracts and subcontracts for each of component of the Infrastructure Improvements; (ii) it will and it will cause its contractors and subcontractors to pay the Prevailing Wage Rates on such contracts or subcontracts related to the Infrastructure Improvements; (iii) it will and it will cause its contractors and subcontractors will give preference to the employment of bona fide residents of the State, as required by Montana Code Annotated Section 18-2-403 and as such term is defined by Montana Code Annotated Section 18-2-401(1) and the Administrative Rules of the State, including but not limited to A.R.M. 24.17.147, obliging the Authority and its contractors and subcontractors to hire 50% bona fide Montana residents with respect to the installation and construction of the Infrastructure Improvements; and (iv) when making assignments of work, it will and it will cause its contractors and subcontractors to use workers both skilled in their trade and specialized in their field of work for all work to which they are assigned. The Authority will provide to the City all documentation requested to verify the compliance of the Authority, its contractors and subcontractors with the foregoing requirements. Failure of the contractors and subcontractors to pay the Prevailing Wage Rates on the Infrastructure Improvements shall be considered a breach of this Agreement and the City shall be entitled to exercise any and all measures to assure compliance and retroactive compensation plus interest to employees not paid in accordance with this Agreement, and recovery of any penalty or fine assessed by the State attributed to any failure to pay the Prevailing Wage Rates. Additionally, the Authority acknowledges that a violation of these requirements shall result in the City not being able to pay or reimburse the Authority for costs of the Infrastructure Improvements. **“Prevailing Wage Rates”** means (i) Montana Prevailing Wage Rate for public works projects are published from time to time by and available from the Montana Department of Labor and Industry, Research and Analysis Bureau, P.O. Box 1728, Helena, Montana 59624, telephone number (800) 541-3904; and (ii) applicable Federal Prevailing Wage Rates for public works projects are published from time to time by and available from <https://www.dol.gov/whd/govcontracts/PrevailingWageResources.htm>.

3.4. Ownership. The Project will initially be owned by the Airport and a private investment partner. The Warehouse Bays will be leased and/or sold primarily to third parties



engaged in Secondary Industries in furtherance of the purposes of the District as set forth in the Plan. Notwithstanding the foregoing, at all times during the term of this Agreement the Authority shall own the Project Site and the Infrastructure Improvements and shall not sell, assign, convey, transfer, lease, encumber or otherwise dispose of the Project Site or the Infrastructure Improvements without the written consent of the City, subject in each case to ownership of any of the Infrastructure Improvements by the applicable utility service.

3.5. Operation and Maintenance. At all times during the term of this Agreement, the Authority will operate and maintain, preserve and keep the Project Site, the Project and the Infrastructure Improvements, or cause the Project Site, the Project and the Infrastructure Improvements to be operated, maintained, preserved and kept, for the purposes for which it was constructed, and with the appurtenances and every part and parcel thereof, in good repair and condition.

3.6. Utilities. The Authority shall not interfere with or permit interference with, or construct or permit construction of any improvements over, any public street or utility easement without the prior written approval of the City. All connections to public utility lines and facilities shall be subject to approval of the City and any private utility company involved. The Authority at its own expense shall replace any public facilities or utilities damaged by the Authority, its agents or by others acting on behalf of or under the direction or control of the Authority or its agent, or by any tenant or other owner of all or any portion of the Project.

3.7. Easements. To the extent that the Infrastructure Improvements are to be located on Authority property, the Authority will grant, and will cause all tenants and other owners of all or any portion of the Project to grant, to the City from time to time such easements, rights-of-way and similar licenses the City may reasonably request.

3.8. Permits; Environmental Laws and Regulations. The Authority will obtain or cause to be obtained, in a timely manner and at the Authority's sole cost and expense, all required permits, licenses and approvals, and will meet and will cause all tenants and other owners of all or any portion of the Project to meet all requirements of all local, State and federal laws, rules, regulations and ordinances which must be obtained or met, in each case in connection with the acquisition and construction of the Project and the Infrastructure Improvements. Without limiting the foregoing, the Authority will request and obtain, or caused to be requested and obtained, from the City or other appropriate governmental authority, all necessary variances, conditional use permits and zoning changes with respect to the Project and the Infrastructure Improvements. The Authority will comply and will contractually obligate all tenants and other owners of all or any portion of the Project to comply in all material respects with all Environmental Laws and Regulations (as hereinafter defined) applicable to the construction, acquisition and operation of the Project and the Infrastructure Improvements, will obtain and will cause all tenants and other owners of all or any portion of the Project to obtain any and all necessary environmental reviews, licenses or clearances under, and will comply and will cause all tenants and other owners of all or any portion of the Project to comply in all material respects with, Environmental Laws and Regulations.

3.9. Nondiscrimination. The Authority agrees that all hiring by the Authority and its contractors and subcontractors and 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.

3.10. Worker's Compensation Insurance. The Authority shall provide in its construction contracts with respect to the Project and the Infrastructure Improvements that each contractor and subcontractor is to be covered by a Worker's Compensation insurance program with the State, a private insurance carrier, or an approved self-insurance plan in accordance with State law.

Section 4. City Undertakings. Subject to the terms and conditions of this Agreement, the City agrees to (i) reimburse the Authority for \$110,000 of costs of the Infrastructure Improvements with Tax Increment funds on hand ("**Cash Reimbursement**") and (ii) issue Bonds payable from Tax Increment in a principal amount sufficient to pay or reimburse the Authority for \$652,510 of costs of the Infrastructure Improvements, to fund a deposit to the reserve account required by the Bond Resolution and to pay costs of issuance of the Bonds. The City estimates that the aggregate principal amount of the Bonds necessary to cover the costs set forth in clause (ii) above is approximately \$800,000. The City's commitment to issue the Bonds is subject to the fulfillment of each and all of the following additional conditions precedent:

(a) There shall be sufficient Tax Increment to issue the Bonds (and pay debt service thereon) in an aggregate principal amount sufficient to pay or reimburse the Authority for \$652,510 of costs of the Infrastructure Improvements, to fund a deposit to a reserve account required by the Bond Resolution and to pay costs of issuance of the Bonds, and to provide coverage up to 140% of the maximum annual debt service requirements required under the Bond Resolution as determined by the City. In addition, the Authority understands and agrees that the City currently has, and may in the future have, binding commitments with respect to the use of Tax Increment, and the obligations of the City to issue Bonds shall not have priority over any such other binding commitments in effect on the date of execution of this Agreement.

(b) The Bonds shall be marketable at interest rates acceptable to the City. The Authority understands that the City does not guarantee the marketability of the Bonds or the interest rate(s) thereon.

(c) No court or governmental or regulatory agency shall have enacted or issued any judgment, injunction, statute, rule, regulation or other order, nor shall any action suit, proceeding or investigation before any court or governmental or regulatory authority be pending, which prohibits or would prohibit, in whole or in part, the consummation of the proposed transactions.

(d) All required State and local governmental, regulatory and other third-party approvals or consents shall have been obtained.

(e) The City shall have received an opinion of Bond Counsel as to the tax-exempt status of interest on the Bonds.

(f) All of the Authority's representations as set forth in this Agreement shall be true and correct and the Authority shall not be breach of any covenant or undertaking as set forth in this Agreement.

## Section 5. Payment or Reimbursement for Infrastructure Improvements.

5.1. Each payment or reimbursement request by the Authority with respect to the Infrastructure Improvements shall be subject to the following conditions and in accordance with the following procedures:

(a) With respect to the portion of the Infrastructure Improvements payable from the Cash Reimbursement, the Authority shall have completed sufficient categories of Infrastructure Improvements in their entirety and totaling not less than \$110,000 in the aggregate (for example, all of the sanitary sewer improvements plus all of the water extension improvements) and the City shall have delivered to the Authority written acceptance of such completed categories of Infrastructure Improvements (which may be in the form of a Certificate of Completion or such other format as required by the City).

(b) With respect to the portion of the Infrastructure Improvements payable from proceeds of the Bonds, the Infrastructure Improvements shall have been completed in their entirety, the City shall have delivered to the Authority written acceptance of the Infrastructure Improvements (which may be in the form of a Certificate of Completion or such other format as required by the City), and the City shall have issued the Bonds.

(c) Any payment or reimbursement by the City for costs of the Infrastructure Improvements will be based on paid or outstanding invoices for costs incurred by the Authority, its contractors and subcontractors or utility companies. The City may reject, in its sole discretion, any invoice to the extent it is not part of the Infrastructure Improvements.

(d) All of the Authority's representations as set forth in this Agreement shall be true and correct and the Authority shall not be breach of any covenant or undertaking as set forth in this Agreement.

(e) The request for payment or reimbursement must be accompanied by a signed draw request substantially in a form attached as Exhibit C hereto and acceptable to the City, accompanied by the invoices and lien waivers (if relevant) from the contractors or subcontractors performing the work to be paid or reimbursed.

(f) The City will cause payment or reimbursement for all properly submitted and allowable expenses to be paid within 30 days of satisfaction of the requirements of this Section 5, subject to compliance with City accounts payable procedures.

5.2. The Authority acknowledges that the City's commitment to pay or reimburse the Authority for costs of the Infrastructure Improvements is a limited obligation of the City payable solely from the Tax Increment. Such commitment is not a general obligation of the City and neither the general credit nor the taxing power of the City, Cascade County or the State is pledged to the payment thereof. Neither the Ordinance, this Agreement nor any other agreement

or obligation of the City contained herein or therein shall be construed to constitute an indebtedness of the City, Cascade County or the State within the meaning of any constitutional or statutory provisions whatsoever. The Authority understands that the City has no control over the amount of Tax Increment that may be available to pay such commitment and that no other City funds will be available or used to pay such commitment.

## Section 6. Release and Indemnification; Insurance.

6.1. Release and Indemnification. The Authority releases the City and all Commission members, officers, agents, servants and employees thereof (the “**Indemnified Parties**”) from, and covenants and agrees that the Indemnified Parties shall not be liable for, and agrees to indemnify, defend and hold harmless the Indemnified Parties against, any loss, damage, cost (including reasonable attorneys’ fees), claim, demand, suit, action or other proceeding whatsoever (i) arising or purportedly arising out of, or resulting or purportedly resulting from, any breach or violation by the Authority of any representation, agreement, condition or covenant of this Agreement, the construction and installation of the Project and the Infrastructure Improvements, the ownership, maintenance and operation of the Project Site, the Project and the Infrastructure Improvements, or the presence on any portion of the Project Site of any dangerous, toxic or hazardous pollutants, contaminants, chemicals, waste, materials or substances or (ii) which is caused by the Authority or its officers, agents, contractors, subcontractors, consultants or employees or any tenant or other owner of all or any portion of the Project; except that such indemnification shall not apply to the extent that the loss, damage or cost is determined by a court of competent jurisdiction to have been caused by the negligence, willful misconduct or bad faith of the Indemnified Party.

6.2. Insurance. The Authority shall keep, or cause its private investment partner and/or the applicable owner or lessee of the Warehouse Bays to keep, the Warehouse Bays insured against such risks and in such amounts, with such deductible provisions, as are customary in connection with facilities of the type and size comparable to the unit.

## Section 7. General Provisions.

7.1. Conflicts of Interest; City’s Representatives Not Individually Liable. No member, officer, agent, servant or employee of the City or the Authority shall have any personal interest, direct or indirect, in this Agreement, the Project or the Infrastructure Improvements, nor shall any such member, officer or employee participate in any decision relating to this Agreement that affects his or her personal interests or the interests of any corporation, partnership or association in which he or she is, directly or indirectly, interested. No member, officer or employee of the City shall be personally liable to Authority in the event of any default under or breach of this Agreement by the City, or for any amount that may become due to Authority for any obligation issued under or arising from the terms of this Agreement.

7.2. Rights Cumulative. The rights and remedies of the parties hereto, whether provided by law or by this Agreement, shall be cumulative, and the exercise by any party hereto of any one or more of such remedies shall not preclude the exercise by such party, at the same or different times, of any other remedy for the same default or breach or of any of its remedies for

any other default or breach of the party subject to the limitation of remedies provided herein. No waiver made by such party with respect to the performance or the manner or time thereof, of any obligation under this Agreement, shall be considered a waiver with respect to the particular obligation of the other party or a condition to its own obligation beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect in regard to any other rights of the party making the waiver of any obligations of the other party. Delay by a party hereto instituting or prosecuting any cause of action or claim hereunder shall not be deemed a waiver of any rights hereunder.

7.3. Injunction; Specific Performance. The parties hereto agree that, in the event of a breach of this Agreement by any party or its successors or assigns, the non-breaching party would suffer irreparable harm. Therefore, in the event any party or its successors or assigns fails to comply with the provisions of this Agreement, the parties expressly agree that the non-breaching party may pursue any remedy at law or in equity, including without limitation, the remedies of injunction and specific performance. In addition, in the event of a breach of this Agreement by the Authority, including the failure of the Authority and/or its private investment partner to sell or lease the Warehouse Bays primarily to third parties engaged in Secondary Industries, the City may require that the Authority return all amounts paid by the City to or for the benefit of the Authority hereunder.

7.4. Term of Agreement. This Agreement will remain in effect until the date upon which there are no Bonds outstanding and all obligations under this Agreement have been satisfied or discharged; provided that the Authority understands that if Bonds are not issued on or before November 5, 2023, the District will expire and all obligations of the City hereunder shall terminate. Notwithstanding, Sections 6.1 and 7 shall in all events survive the termination of this Agreement.

7.5. Limitation on City Liability. No agreements or provisions contained in this Agreement nor any agreement, covenant or undertaking by the City contained in this Agreement or any other document executed by the City in connection with the Infrastructure Improvements will give rise to any pecuniary liability of the City or a charge against its general credit or taxing powers, or will obligate the City financially in any way except with respect to Tax Increment. No failure of the City to comply with any term, condition, covenant or agreement herein will subject the City to liability for any claim for damages, costs or other financial or pecuniary charge except to the extent that the same can be paid or recovered from Tax Increment; and no execution on any claim, demand, cause of action or judgment will be levied upon or collected from the general credit, general funds or taxing powers of the City (except as such constitute Tax Increment). Nothing herein will preclude a proper party in interest from seeking and obtaining specific performance against the City for any failure to comply with any term, condition, covenant or agreement herein; provided that no costs, expenses or other monetary relief will be recoverable from the City except as may be payable from Tax Increment.

7.6. Notices. All notices, certificates or other communications required to be given to the City or the Authority hereunder shall be sufficiently given and shall be deemed given when delivered or deposited in the United States mail in certified form with postage fully prepaid and addressed as follows:



If to the City: City of Great Falls  
P.O. Box 5021  
Great Falls, Montana 59403  
Attn: Finance Director

If to the Authority: Great Falls International Airport Authority  
2800 Terminal Drive  
Great Falls, Montana 59404  
Attn: Airport Director

The City and the Authority, by notice given hereunder, may designate different addresses to which subsequent notices, certificates or other communications should be sent.

7.7. Assignment. This Agreement is unique between the City and the Authority and no party may assign any rights or privileges or delegate any duties or obligations under this Agreement, including to any tenant or other owner of all or any portion of the Project, without first obtaining the written consent of the other parties hereto.

7.8. Binding Effect. The right and obligations set forth in this Agreement shall inure to the benefit of and shall be binding upon the City and the Authority and their respective successors and assigns.

7.9. Prior Agreements. This Agreement supersedes, merges and voids any and all prior discussions, negotiations, agreements and undertakings between the parties hereto with respect to the subject matter of this Agreement. The parties waive and release each other from any claims, actions, or causes of action that relate in any manner to any prior discussions, negotiations, agreements and undertakings between the parties with respect to the subject matter of this Agreement.

7.10. Severability. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

7.11. Amendments, Changes and Modifications. This Agreement may be amended or any of its terms modified only by written amendment authorized and executed by the City and the Authority.

7.12. Governing Law. This agreement and the legal relations between the parties hereto will be governed by and construed in accordance with the laws of the State of Montana, without giving effect to any choice of law statutes, rules, or principles. All legal actions arising from this Agreement shall be filed in the District Court of the State of Montana in and for Cascade County, Montana.

7.13. Further Assurances and Corrective Instruments. The City and the Authority agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required or advisable for correcting any inadequate or incorrect description of the

Project or the Infrastructure Improvements or for carrying out any of the provisions of this Agreement.

7.14. Execution Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

7.15. Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope of intent of any provisions or Sections of this Agreement.

*[remainder of page left intentionally blank]*

IN WITNESS WHEREOF, the parties hereto have caused this Development Agreement to be executed as of the \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF GREAT FALLS, MONTANA

[SEAL]

By \_\_\_\_\_  
Gregory T. Doyon, City Manager

Attest:

\_\_\_\_\_  
Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

GREAT FALLS INTERNATIONAL  
AIRPORT AUTHORITY

\_\_\_\_\_  
Name: John Faulkner  
Title: Airport Director

STATE OF MONTANA     )  
                                  : ss.  
COUNTY OF CASCADE    )

          This instrument was acknowledged before me on \_\_\_\_\_, 2021 by  
\_\_\_\_\_ of Great Falls International Airport Authority, on behalf of said  
Authority.

(Notarial Seal)

Printed Name: \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission Expires:

EXHIBIT A  
INFRASTRUCTURE IMPROVEMENTS

	<u>Estimated Expense</u>
Infrastructure Design	\$70,000
Electrical Extension	\$31,867
Gas Extensions	\$30,120
Water Extensions	\$75,625
Sanitary Sewer	\$76,100
Stormwater	\$212,055
Data/communications	\$26,600
Roadways and Entrance Flatwork	\$240,143

## EXHIBIT B

## 2021 PROJECT COSTS AND SOURCES OF FUNDS

<b>GREAT FALLS INTERNATIONAL AIRPORT</b>						
<b>WAREHOUSE COMMERCIAL DEVELOPMENT</b>						
<b>PRELIMINARY - CONSTRUCTION COST ESTIMATE</b>						
<b>February 11, 2020</b>						
<b>STORMWATER IMPROVEMENTS</b>						
<b>BID ITEM</b>	<b>SPEC.</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>EXTENDED COST</b>
1	P-152	Unclassified Excavation	CY	3,811	\$45.00	\$171,495.00
2	D-701	18 Inch RCP (Class III)	LF	162	\$180.00	\$29,160.00
3	D-701	18 Inch Flared End Section (Class III)	EA	6	\$1,900.00	\$11,400.00
<b>SUBTOTAL =</b>						<b>\$212,055.00</b>
<b>SITE UTILITIES</b>						
<b>BID ITEM</b>	<b>SPEC.</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>EXTENDED COST</b>
1	MPWSS 02660	12" PVC Waterline	LF	269	\$125.00	\$33,625.00
2	MPWSS 02660	12" Gate Valve	EA	1	\$3,500.00	\$3,500.00
3	MPWSS 02660	Connect to Existing Waterline	EA	1	\$5,500.00	\$5,500.00
4	MPWSS 02660	Waterline Directional Bore	EA	1	\$25,000.00	\$25,000.00
5	MPWSS 02660	Fire Hydrant Assembly (Includes Valves)	EA	1	\$8,000.00	\$8,000.00
6	MPWSS 02660	6" PVC Sanitary Sewer Service	LF	280	\$70.00	\$19,600.00
7	MPWSS 02730	Sewerline Directional Bore	EA	1	\$35,000.00	\$35,000.00
8	MPWSS 02730	Install Sand/Oil Interceptor	EA	1	\$15,000.00	\$15,000.00



9	MPWSS 02730	4' DIA. Sanitary Sewer Manhole	EA	1	\$6,500.00	\$6,500.00
10	---	2" Gas Line	LF	502	\$60.00	\$30,120.00
11	L-110	4" PVC DEB Primary Conduit	LF	299	\$33.00	\$9,867.00
12	---	Install NW Energy Transformer	EA	1	\$22,000.00	\$22,000.00
13	---	2" Conduit for COMM Extension	EA	240	\$40.00	\$9,600.00
14	---	COMM Pedestal	EA	2	\$1,000.00	\$2,000.00
15	---	COMM Directional Bore	EA	1	\$15,000.00	\$15,000.00
<b>SUBTOTAL =</b>						<b>\$240,312.00</b>
<b>ENTRY ROADWAYS</b>						
<b>BID ITEM</b>	<b>SPEC.</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>EXTENDED COST</b>
1	P-152	Unclassified Excavation	CY	1,379	\$45.00	\$62,055.00
2	02235-1	3/4 Inch Minus Crushed Base Course	CY	935	\$50.00	\$46,750.00
3	02502-1	Asphalt Tack Coat	GAL	344	\$4.50	\$1,548.00
4	02510-1	Asphalt Concrete Pavement	TON	1,266	\$65.00	\$82,290.00
5	02510-2	Asphalt Cement	TON	76	\$625.00	\$47,500.00
<b>SUBTOTAL =</b>						<b>\$240,143.00</b>
<b>AUTHORITY FUNDED TRUCK CIRCULATION</b>						
<b>BID ITEM</b>	<b>SPEC.</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>EXTENDED COST</b>
1	P-152	Unclassified Excavation	CY	1,545	\$45.00	\$69,525.00
2	02235-1	3/4 Inch Minus Crushed Base Course	CY	1,050	\$50.00	\$52,500.00
3	02502-1	Asphalt Tack Coat	GAL	415	\$4.50	\$1,867.50
4	02510-1	Asphalt Concrete Pavement	TON	1,525	\$65.00	\$99,125.00
5	02510-2	Asphalt Cement	TON	92	\$625.00	\$57,500.00
<b>SUBTOTAL =</b>						<b>\$280,517.50</b>
<b>TOTAL =</b>						<b>\$973,027.50</b>

## EXHIBIT C

### AUTHORITY REQUISITION FORM

TO: City of Great Falls, Montana (the “City”)  
 FROM: Great Falls International Airport Authority (the “Authority”)  
 SUBJECT: Reimbursements for Infrastructure Improvements

This represents Authority Requisition No. \_\_\_\_ in the total amount of \$\_\_\_\_\_ for payment of the Infrastructure Improvements.

The undersigned, as Authorized Authority Representative, intends that this certificate will satisfy the requirements of Section 3 of the Development Agreement, dated as of [\_\_\_\_], 2021 between the City and the Authority, and does hereby certify on behalf of the Authority that:

- (a) the expenditures for which reimbursement is requested are listed in summary form in the attached schedule;
- (b) the amounts requested have been paid by the Authority for property or to contractors, subcontractors, materialmen, engineers, architects or other persons who will perform or have performed necessary or appropriate services or will supply or have supplied necessary or appropriate materials for the acquisition, construction, renovation, equipping and installation of the Infrastructure Improvements, as the case may be, and that, to the best of my knowledge, the fair value of such property, services, or materials is not exceeded by the amounts requested to be paid;
- (c) the cost of work to be reimbursed has been competitively bid and the contractor or subcontractor has paid the Montana prevailing wage for such work;
- (d) no part of the several amounts requested to be reimbursed, as stated in such certificate, has been or is the basis for the reimbursement of any money in any previous or pending request; and
- (e) the reimbursement of the amounts requested will not result in a breach of any of the covenants of the Authority contained in the Agreement.

Dated: \_\_\_\_\_, 20\_\_

Great Falls International Airport Authority

By: \_\_\_\_\_  
Authorized Authority Representative

Schedule to Authority Requisition No. \_\_\_\_\_

Payee

Purpose

Amount

# ORDINANCE 3022

AN ORDINANCE ESTABLISHING A TAX INCREMENT FINANCING INDUSTRIAL DISTRICT PROGRAM TO ASSIST IN FINANCING NECESSARY INDUSTRIAL INFRASTRUCTURE TO ENCOURAGE THE ATTRACTION, GROWTH AND RETENTION OF SECONDARY, VALUE-ADDING INDUSTRIES; PROVIDING FOR DEFINITION OF TERMS; ESTABLISHING THE COSTS WHICH MAY BE PAID BY TAX INCREMENT FINANCING INDUSTRIAL DISTRICTS; CREATING AND APPROVING THE GREAT FALLS INTERNATIONAL AIRPORT TAX INCREMENT FINANCING INDUSTRIAL DISTRICT; ESTABLISHING THE BOUNDARIES THEREOF AND APPROVING THE PLAN; ESTABLISHING JANUARY 1, 2008 AS THE BASE TAXABLE YEAR; PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

\* \* \* \* \*

WHEREAS, the Great Falls International Airport Authority is interested in fostering the development of secondary, value-adding industries in the City of Great Falls as part of its overall mission to promote aviation related economic development, to improve area employment opportunities and to expand the tax base; and,

WHEREAS, the creation of a Tax Increment Financing Industrial District, as authorized in Sections 7-15-4282 through 4293, MCA, will help fund the supportive public infrastructure needed for the development of secondary, value-adding industries at the Airport; and,

WHEREAS, the City of Great Falls is interested in using Tax Increment Financing as a tool to foster economic and community development.

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

Section 1. Definitions. The following terms wherever used or referred to in this Ordinance shall have the following meanings:

- (1) "Tax increment financing industrial district" means a district designated as such by the City Commission in accordance with the provisions of this Ordinance, consisting of a continuous area within an accurately described boundary, zoned for light or heavy industrial use in accordance with the Great Falls *Growth Policy*, and is found to be deficient in infrastructure improvements for industrial development.
- (2) "Actual taxable value" means the taxable value of taxable property at any time, as calculated from the assessment roll last equalized.

- (3) “Base taxable value” means the actual taxable value of all taxable property within a tax increment financing industrial district prior to the effective date of a tax increment financing provision. This value may be adjusted as provided in Sections 7-15-4287 or 7-15-4293, MCA.
- (4) “Great Falls International Airport Tax Increment Financing Industrial District” means the tax increment industrial infrastructure district created by this Ordinance.
- (5) “Incremental taxable value” means the amount, if any, by which the actual taxable value at any time exceeds the base taxable value of all property within a tax increment financing industrial district.
- (6) “Tax increment” means the collections realized from extending the tax levies, expressed in mills, of all taxing bodies which the tax increment financing industrial district or a part thereof is located, against the incremental taxable value.
- (7) “Taxes” means all taxes levied by a taxing body against property on an ad valorem basis.
- (8) “Industrial district” means a tax increment financing industrial district.
- (9) “Industrial infrastructure development project” means a project undertaken within or for an industrial district that consists of any or all of the activities authorized by Section 7-15-4288, MCA.
- (10) “Act” means Title 7, Chapter 15, Parts 42 and 43, Montana Code Annotated.

Section 2. Findings. Based on representations made to the City Commission to date and taking into consideration all comments received, including those made at a public hearing duly held on November 5, 2008, after notice was given, the City Commission does hereby make the following findings, determinations and declarations regarding the Great Falls International Airport Tax Increment Financing Industrial District, which is hereinafter referred to as the District:

- (1) the property to be included in the District consists of a continuous area with an accurately described boundary;
- (2) the property to be included in the District was zoned “AI Airport Industrial” district by the City Commission upon approval of an amendment to Section 17.20.2.040.A.18 of the City of Great Falls Land Development Code on September 16, 2008, with an effective date of October 16, 2008;
- (3) the property to be included in the District was zoned for industrial use in accordance with the Great Falls *Growth Policy*;
- (4) the property to be included in the District does not contain property included within an existing urban renewal area district;



(5) the property to be included in the District is deficient in public infrastructure for industrial development and will likely not be developed to its potential, without the provision of public infrastructure improvements;

(6) the Act requires that prior to final adoption of this Ordinance, the Commission shall hold a public hearing on the creation of the proposed District. Pursuant to such authority, notice of a public hearing in substantially the form presented in, and attached hereto as, Exhibit "A" was advertised to be held on November 5, 2008, at 7:00 P.M., in the City Commission Chambers in the Civic Center Building, Great Falls, Montana.

Section 3. Establishment of the District. The Great Falls International Airport Tax Increment Financing Industrial District is hereby established.

Section 4. Boundaries. A legal description and map of the District are attached hereto as Exhibit "B".

Section 5. District Plan. A plan describing existing infrastructure, existing infrastructure deficiencies, and industrial development activities to be undertaken within the District is attached as Exhibit "C".

Section 6. Base Year. For the purpose of calculating the incremental taxable value for each year of the life of the District, the base taxable value shall be calculated as the taxable value of all real and personal property within the District, as of January 1, 2008.

Section 7. Tax Increment Provision. The City is hereby authorized to segregate, as received, the tax increment derived in the District, and use and deposit such increment into the District Fund for use as authorized by the Act and as authorized herein or by the City Commission from time to time.

Section 8. Costs That May be Paid From Tax Increments. The tax increments received from the District may be used to directly pay costs of approved industrial infrastructure development projects, or to pay debt service on bonds issued to finance industrial infrastructure development improvements as defined under the Act as may from time to time be approved by the City Commission. The City Commission hereby authorizes the use of tax increment in the District to be used to pay debt service on internal and bank financed loans issued to finance all or a portion of the costs of eligible improvements in compliance with the Act, and subject to any limitations imposed by the Montana Constitution.

Section 9. Term of the Tax Increment Financing Provision. The tax increment financing provision of the District will terminate upon the earlier of:

(a) the fifteenth year following the creation of the District; or

(b) the payment or provision for payment in full or discharge of all loans, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment financing provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the District, but shall be paid into funds of the taxing bodies levying taxes within the District.

Section 10. Effect of Industrial Infrastructure Development Project. The creation of an industrial infrastructure development project or the approval of an industrial infrastructure development project does not affect, abrogate or supersede any rules, ordinances, or regulations of the City relating to zoning, building permits, or any other matters.

Section 11. Effective Date. This Ordinance shall be in full force and effect upon passage and adoption by the City Commission.

Section 12. Conflict with Other Ordinances and Resolutions. All parts of ordinances and resolutions in conflict herewith are hereby repealed.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 5<sup>th</sup> day of November, 2008.

---

Dona R. Stebbins, Mayor

ATTEST:

---

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

---

David V. Gliko, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the forgoing Ordinance 3022 was placed on its final passage and passed by the City Commission of the City of Great Falls, Montana, at a meeting thereof held on the 5<sup>th</sup> day of November, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on the 5<sup>th</sup> day of November, 2008.

\_\_\_\_\_  
 Lisa Kunz, City Clerk

(SEAL OF CITY)

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

Lisa Kunz, being first duly sworn, deposes and says: That on the 5<sup>th</sup> day of November, 2008, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the City Commission, Ordinance 3022 of the City of Great Falls, in three conspicuous places within the limits of said City to wit:

On the Bulletin Board, first floor, Civic Center Building;  
 On the Bulletin Board, first floor, Cascade County Court House;  
 On the Bulletin Board, Great Falls Public Library

\_\_\_\_\_  
 Lisa Kunz, City Clerk

(SEAL OF CITY)

**EXHIBIT “A”****PUBLIC HEARING NOTICE**

Notice is hereby given that the City Commission of the City of Great Falls, Montana, will hold a public hearing on Ordinance 3022 on November 5, 2008, at 7:00 P.M., in the Commission Chambers of the Civic Center Building, #2 Park Drive South, Great Falls, Montana.

Said Ordinance was accepted for consideration on first reading and is to establish the Great Falls International Airport Tax Increment Financing Industrial District for the purpose of encouraging industrial growth by providing a financial mechanism to install necessary infrastructure improvements. The proposed District includes all of the incorporated properties of the Great Falls International Airport and contains 1979 acres.

The City is authorized by Title 7, Chapter 15, Part 42, Montana Code Annotated, to establish a tax increment financial industrial district and to use the tax increment generated within the district to finance the costs of certain infrastructure improvements in order to encourage the attraction, growth and retention of secondary value-adding industries.

Copies of said Ordinance, which contains a legal description and a map of the proposed District, can be obtained at the City Clerk's Office, Civic Center Building, Great Falls, Montana.

Any interested person may appear at the public hearing and speak in favor of or against Ordinance 3022 or submit in writing any comments to the City Clerk prior to or during said hearing.

If special accommodations for disabilities are needed, please call 771-1180, Ext 438 or TDD 454-0495.

/s/ Lisa Kunz, City Clerk

PUBLICATION DATES:    October 19 & 26, 2008



## Exhibit 2. Legal Description of the Great Falls International Airport TIFID

### Legal Description

The proposed Great Falls International Airport TIFID includes all that real property in the City of Great Falls, County of Cascade, State of Montana, which lies within the following described boundary, as of October 2008. The described boundary is coincidental to the legal description for the Great Falls International Airport.

“The POINT OF BEGINNING is at the southeast corner of Section 8, Township 20 North, Range 3 East; thence along the east line of said section, North 00°20'17" West, a distance of 1313.50 feet; thence North 89°49'00" West, a distance of 205.05 feet; thence North 89°49'52" West, a distance of 1130.62 feet; thence North 53°35'22" West, a distance of 237.30 feet; thence South 07°55'24" West, a distance of 472.63 feet; thence North 89°48'47" West, a distance of 1035.78 feet; thence South 00°13'51" West, a distance of 986.89 feet to the northwest corner of the Northeast Quarter of Section 17, Township 20 North, Range 3 East; thence along the west line of said Northeast Quarter of said section, South 00°31'52" West, a distance of 2642.24 feet to the northeast corner of the East Half of the Southwest Quarter of the above said Section 17; thence along the north line of said aliquot part, North 89°49'46" West, a distance of 1328.89 feet to the northwest corner of said aliquot part; thence along the west line of said aliquot part, South 00°19'55" West, a distance of 2630.17 feet to the north line of Section 20, Township 20 North, Range 3 East; thence along the north line of said Section 20, North 89°38'19" West, a distance of 738.21 feet; thence South 00°09'43" East, a distance of 2641.70 feet to the north line of the Southwest Quarter of the above said Section 20; thence along the north line of said Southwest Quarter, North 89°22'25" West, a distance of 580.06 feet to the northwest corner of said Southwest Quarter; thence along the west line of said Southwest Quarter, South 00°18'14" East, a distance of 821.55 feet; thence South 45°01'17" West, a distance of 42.19 feet; thence South 45°00'59" West, a distance of 2417.04 feet to the north line of Section 30, Township 20 North, Range 3 East; thence along the north line of said Section 30, North 87°38'03" West, a distance of 905.29 feet to the northwest corner of the Northeast Quarter of said Section 30, Township 20 North, Range 3 East; thence along the west line of said aliquot part, South 00°46'52" East, a distance of 1630.31 feet to the southerly right-of-way line of Highway Project No. FAP 218-(6); thence along said southerly right-of-way line, South 69°25'46" West, a distance of 2152.03 feet to the west line of the above said Section 30; thence along said west line of said section, South 01°09'05" West, a distance of 182.26 feet to the northwest corner of the Southwest Quarter of said Section 30, Township 20 North, Range 3 East; thence along the west line of said aliquot part, South 01°04'33" West, a distance of 360.99 feet to the northwesterly right-of-way line of Interstate 15 (Project Number I15-5 (29) 259); thence along said northwesterly right-of-way line, North 84°59'39" East, a distance of

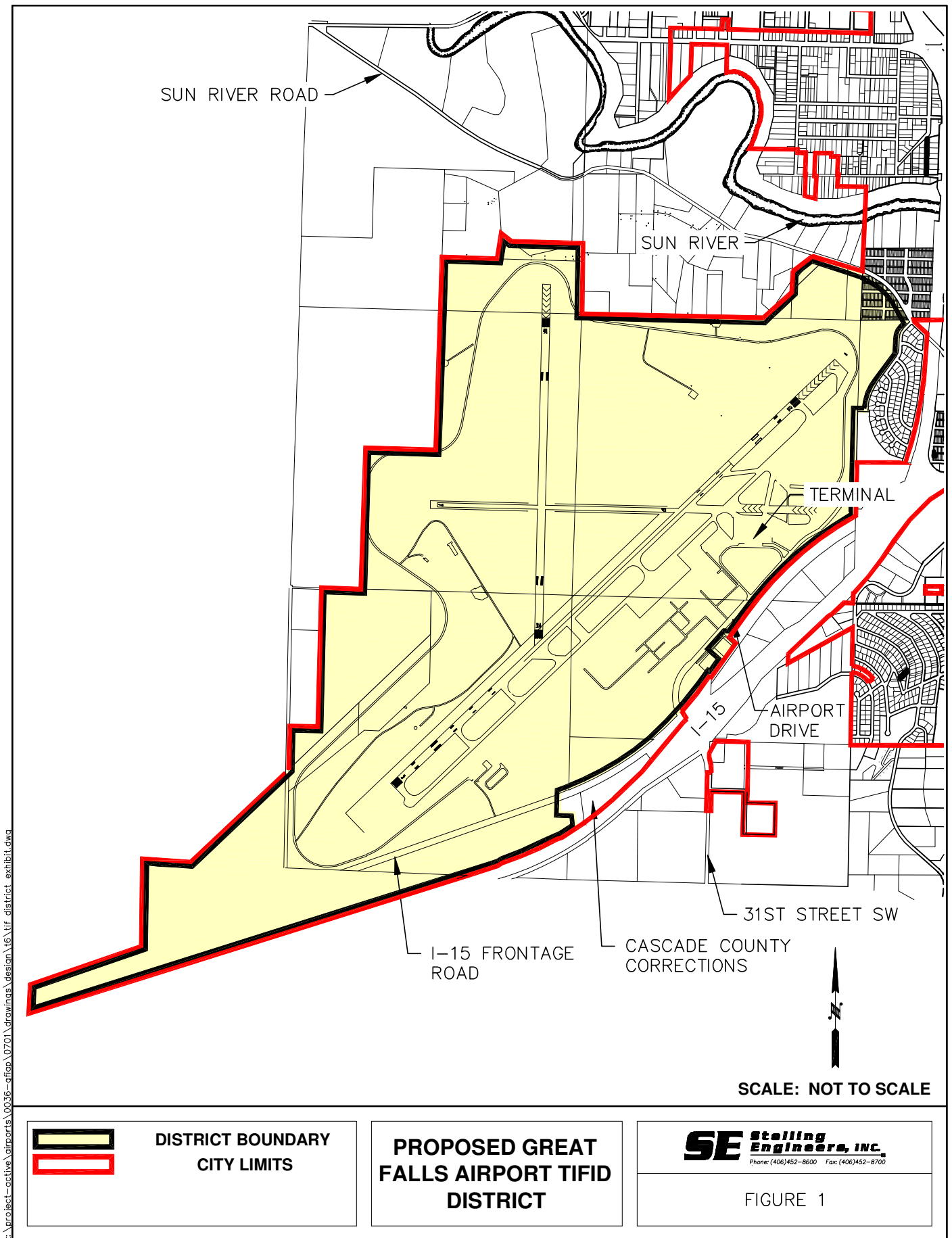


82.19 feet; thence continuing along said northwesterly right-of-way line, North 70°58'05" East, a distance of 9112.64 feet; thence continuing along said northwesterly right-of-way line, North 54°02'36" East, a distance of 88.14 feet to the beginning of a 5580.00 foot radius curve, concave northwesterly, having a radial bearing of North 19°53'25" West; thence continuing along said northwesterly right-of-way line and along said curve, through a central angle of 10°59'56", an arc length of 1071.17 feet; thence continuing along said northwesterly right-of-way line, North 72°53'03" East, a distance of 100.64 feet to the beginning of a 5605.00 foot radius curve, concave northwesterly, having a radial bearing of North 31°53'24" West; thence continuing along said northwesterly right-of-way line, along said curve and through a central angle of 5°10'01", an arc length of 505.45 feet; thence leaving said northwesterly right-of-way of Interstate 15, North 08°28'52" West, a distance of 555.23 feet; thence North 08°02'28" West, a distance of 14.62 feet to a point on the southeasterly right-of-way line of Highway Project No. FAP 218-(5), said point being on a 5790.00 foot radius curve concave northwesterly, having a radial bearing of North 24°34'19" West; thence northeasterly along said right-of-way line and along said curve, through a central angle of 18°17'38", an arc length of 1848.69 feet to the south line of the northwest quarter of Section 21, Township 20 North, Range 3 East; thence along said south line of said aliquot part, North 89°52'17" West, a distance of 206.72 feet to a point on the northwesterly right-of-way line of the above said Highway Project No. FAP 218-(5), said point being on a 5650.00 foot radius curve concave northwesterly, having a radial bearing of North 41°23'33" West; thence northeasterly along said right-of-way line and along said curve, through a central angle of 5°38'10", an arc length of 555.78 feet to the southeast corner of Montana Air National Guard Lease Tract A101-4; thence along the boundary of said lease tract for the following ten courses: North 89°35'45" West, a distance of 449.33 feet, North 00°00'37" West, a distance of 100.00 feet, North 89°26'05" West, a distance of 198.25 feet, South 00°53'29" West, a distance of 100.00 feet, North 89°39'46" West, a distance of 269.35 feet, South 00°40'38" West, a distance of 392.96 feet, North 89°52'17" West, a distance of 967.70 feet, North 08°38'53" West, a distance of 431.10 feet, North 00°28'25" West, a distance of 1214.58 feet, and North 45°00'56" East, a distance of 1007.13 feet to the southwest corner of Montana Air National Guard Lease Tract A101-1; thence along the northwesterly boundary of said lease tract for the following two courses: North 44°54'22" East, a distance of 430.02 feet, and North 44°59'13" East, a distance of 1338.04 feet to the southwest corner of Montana Air National Guard Lease Tract A101-5; thence along the boundary of said lease tract for the following four courses: North 45°00'30" East, a distance of 214.96 feet, South 44°26'54" East, a distance of 250.03 feet, North 45°32'51" East, a distance of 73.21 feet, and South 44°25'04" East, a distance of 173.20 feet; thence South 52°10'36" East, a distance of 21.49 feet, to a point on the above said Lease Tract A101-1; thence along the boundary of said lease tract for the following two courses: South 44°34'18" East, a

distance of 380.00 feet, and South  $45^{\circ}25'42''$  West, a distance of 554.17 feet to the northerly corner of Montana Air National Guard Lease Tract JKSE 20030012; thence along the boundary of said lease tract for the following four courses: South  $44^{\circ}56'17''$  East, a distance of 791.25 feet, South  $40^{\circ}33'56''$  West, a distance of 283.11 feet, North  $44^{\circ}34'18''$  West, a distance of 314.93 feet, and South  $44^{\circ}53'33''$  West, a distance of 460.42 feet to a point on the above said Lease Tract A101-4; thence along the boundary of said lease tract for the following two courses: South  $43^{\circ}57'15''$  East, a distance of 686.00 feet, and South  $00^{\circ}20'52''$  West, a distance of 181.47 feet to a point on the northwesterly right-of-way line of the above said Highway Project No. FAP 218-(5); thence along said right-of-way, South  $34^{\circ}22'30''$  West, a distance of 54.86 feet to the southwesterly line of that parcel denoted as Tract 1 on Certificate of Survey Number 2271, records of Cascade County, Montana; thence along said southwesterly line of said Tract 1, South  $49^{\circ}22'42''$  East, a distance of 40.60 feet to the southeasterly corner thereof; thence along the southeasterly line of said Tract 1, the following three courses: North  $34^{\circ}15'32''$  East, a distance of 156.30 feet; North  $34^{\circ}23'29''$  East, a distance of 208.58 feet; and North  $34^{\circ}24'09''$  East, a distance of 74.13 feet to the northeasterly corner thereof; thence along the northeasterly line of said Tract 1, North  $49^{\circ}18'30''$  West, a distance of 273.50 feet to the northwesterly corner thereof, said point being the southwesterly corner of that parcel denoted as Tract 2 on Certificate of Survey Number 2271, records of Cascade County, Montana; thence along the northerly line of said Tract 2, North  $40^{\circ}39'51''$  East, a distance of 251.54 feet to the northwesterly corner thereof; thence North  $40^{\circ}38'20''$  East, a distance of 87.15 feet to the north line of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 21, Township 20 North, Range 3 East, as denoted on Certificate of Survey Number 1351, records of Cascade County, Montana; thence along said north line, South  $89^{\circ}17'57''$  East, a distance of 88.41 feet to the northwesterly right-of-way line of the now partially abandoned Highway Project No. FAP 218-(5); thence along said line North  $34^{\circ}19'05''$  East, a distance of 464.71 feet to the beginning of a 6450.48 foot radius curve, concave southeasterly, having a radial bearing of South  $55^{\circ}41'57''$  East; thence along said right-of-way line and along said curve through a central angle of  $24^{\circ}42'43''$ , an arc length of 2782.13 feet to the east line of Section 16, Township 20 North, Range 3 East; thence along the east line of said Section 16, North  $00^{\circ}09'45''$  West, a distance of 1011.66 feet, and North  $00^{\circ}07'19''$  West, a distance of 950.12 feet to the northwest corner of that area denoted as "Park" on the West Hill Subdivision, the copy of which is on file with Cascade County, Montana; thence along the north line of said "Park", South  $89^{\circ}48'05''$  East, a distance of 188.49 feet to a point on the westerly right-of-way line of 4th West Hill Drive; said point being on a 1015.00 foot radius curve, concave easterly, having a radial bearing of South  $89^{\circ}28'58''$  East, thence northeasterly along said westerly right-of-way and along said curve through a central angle of  $35^{\circ}06'22''$ , an arc length of 621.91 feet; thence continuing along said westerly right-of-way, North  $35^{\circ}23'00''$  East, a distance of 578.09 feet to the

beginning of a 200.00 foot radius curve, concave northwesterly, having a radial bearing of North 54°37'56" West; thence continuing northerly along said westerly right-of-way and along said curve through a central angle of 35°03'56", an arc length of 122.40 feet; thence continuing along said westerly right-of-way, North 00°16'15" East, a distance of 234.13 feet to the beginning of a 249.63 foot radius curve, concave southeasterly, having a radial bearing of South 89°52'12" East continuing northeasterly along said westerly right-of-way and along said curve through a central angle of 43°02'26", an arc length of 187.52 feet; thence continuing along said westerly right-of-way North 43°10'14" East, a distance of 172.45 feet to the southwesterly right-of-way line of the Sun River Highway; thence northwesterly along said southwesterly right-of-way line, North 48°34'36" West, a distance of 52.26 feet to the south line of Section 10, Township 20 North, Range 3 East; thence along said south line of Section 10, South 88°15'19" West, a distance of 36.95 feet to the southeast corner of Lot 17, Block 14 of Sun River Addition, the copy of which is on file with Cascade County, Montana; thence along the east line of said Lot 17, North 00°15'55" East, a distance of 26.32 feet; thence North 00°15'55" East, a distance of 16.00 feet to the southeast corner of Lot 16 of said Block 14 of Sun River Addition; thence along the east line of Lot 16, North 00°15'55" East, a distance of 120.00 feet to the northeast corner thereof; thence along the north line of Lots 16 through 13 of Block 14 of Sun River Addition; North 89°44'05" West, a distance of 100.00 feet to the northwest corner of said Lot 13; thence North 00°15'55" East, a distance of 60.00 feet to the southeast corner of Lot 21, Block 11 of Sun River Addition; thence along the east line of said Lot 21, North 00°15'55" East, a distance of 120.00 feet to the northeast corner thereof; thence along the north line of Lots 21 through 19 of Block 11 of Sun River Addition, North 89°44'05" West, a distance of 75.00 feet to the northwest corner of said Lot 19; thence North 00°15'55" East, a distance of 16.00 feet to the southeast corner of Lot 9, Block 11 of Sun River Addition; thence along the east line of said Lot 9, North 00°15'55" East, a distance of 120.00 feet to the northeast corner thereof; thence along the north line of Lots 9 through 3 of Block 11 of Sun River Addition, North 89°44'05" West, a distance of 174.94 feet to the Northwest corner of said Lot 3; thence North 00°09'32" East, a distance of 60.00 feet to the southeast corner of Lot 31, Block 8; thence along the east line of said Lot 31, North 00°09'32" East, a distance of 120.03 feet to the northeast corner thereof; thence along the north line of Lots 31 and 32, Block 8 of Sun River Addition; North 89°45'32" West, a distance of 50.03 feet to the northwest corner of said Lot 32; thence North 89°47'14" West, a distance of 60.00 feet to the northeast corner of Lot 16 of Block 9 of Sun River Addition; thence North 57°20'43" West, a distance of 29.80 feet to the southeast corner of Lot 14 of Block 9 of Sun River Addition; thence along the east line of said Lot 14, North 00°09'43" East, a distance of 3.07 feet to a point on the southwesterly right-of-way line of Sun River Road, said point being on a 1060.00 foot radius curve, concave southwesterly, having a radial bearing of South 35°08'31" West; thence northwesterly along said southwesterly right-of-way line and along said

curve through a central angle of  $03^{\circ}15'07''$ , an arc length of 60.17 feet to the east line of Lot 12 of Block 9 of Sun River Addition; thence along said east line of said Lot 12, North  $00^{\circ}11'29''$  East, a distance of 83.84 feet to the northeast corner thereof; thence along the north line of Lots 12 through 1, Block 9 of Sun River Addition, North  $89^{\circ}50'17''$  West, a distance of 301.23 feet to the northwest corner of said Lot 1; thence North  $89^{\circ}50'17''$  West, a distance of 12.67 feet to the west line of Section 10, Township 20 North, Range 3 East; thence along said west line North  $01^{\circ}15'30''$  East, a distance of 120.38 feet to the centerline of a 60.00 foot wide County Road, thence along said centerline of said County Road North  $64^{\circ}42'36''$  West, a distance of 1.41 feet; thence continuing along said centerline of said County Road, North  $74^{\circ}26'53''$  West, a distance of 288.60 feet and North  $73^{\circ}40'45''$  West, a distance of 426.62 feet; thence leaving said County Road centerline, South  $45^{\circ}20'37''$  West, a distance of 510.64 feet; thence South  $14^{\circ}17'23''$  West, a distance of 914.33 feet; thence South  $74^{\circ}13'45''$  West a distance of 258.66 feet; thence North  $61^{\circ}01'43''$  West a distance of 357.82 feet to the north line of Section 16, Township 20 North, Range 3 East; thence along said north line North  $89^{\circ}59'48''$  West, a distance of 793.10 feet, and North  $89^{\circ}59'12''$  West, a distance of 2612.01 feet to the POINT OF BEGINNING, and containing 1978.898 acres of land.



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## Exhibit "C"

### Great Falls International Airport

### Tax Increment Financing Industrial District Plan

#### 1. INTRODUCTION

The Great Falls International Airport (GFIA) Authority is interested in fostering the development of secondary, value adding industries in the City of Great Falls as part of its overall mission to promote aviation related economic development, to improve area employment opportunities and to expand the tax base. This effort will be facilitated through the creation of a Tax Increment Financing Industrial District or TIFID, which will encompass the entire Airport property.

#### History of the Great Falls International Airport

The GFIA was developed in response to an initiative of the U.S. Department of Commerce in 1928. The City acquired 640 acres of land and construction was started on Runway 16/34, which was completed in June 1929. By 1939 the airport facilities included four runways, a large hangar, and an administration building.



*Early Air Mail Plane*

In 1939, the Great Falls Airport Commission appealed to Harry H. Woodring, Secretary of War, to locate an Air Corps squadron at Great Falls. In 1941, the Civil Aeronautics Authority provided money for the further development of the Great Falls Municipal Airport, which was known then as Gore Field.

During World War II, the airport was leased by the U.S. War Department and used as a base for the 7th Ferrying Command. During the war years, more than 7,500 bombers and fighter aircraft passed through Great Falls on their way to the war fronts in Europe and the Pacific. While using the airport as an airbase, the U.S. Army acquired an additional 740 acres of land and built many buildings and other facilities.



*First Terminal*

In June 1948, the U.S. War Department deeded the airport back to the City of Great Falls with the stipulation that the facility could revert to military control in the event of a



national emergency. The airport was released from this clause in 1961. In 1975, the terminal at the GFIA was replaced and all runways, aprons, and taxiways updated. With use of Federal Aviation Administration (FAA) matching funds, the Airport Authority performs annual operations, maintenance, and capital improvements.<sup>1</sup> In addition to commercial, freight and private air services, the GFIA houses the 120<sup>th</sup> Fighter Group of the Montana Air National Guard (MANG) on 138 acres just southwest of the Terminal area.

Today, the GFIA is governed by a Regional Airport Authority, which recognizes the economic influence that airports have on the areas they serve. To this end, the Great Falls International Airport Authority (Authority) has reconstructed 80% of its existing infrastructure and expanded its aviation infrastructure to support the development of 29 new hangers. FedEx Cargo has established a 79,000 square foot regional hub at the Airport and since 2000, the Authority has helped to foster the creation of 300 new jobs of which 200 are primary sector jobs.

In 2006, privately owned businesses located on airport property generated \$685,000 in property taxes that benefit city and county governments, as well as area schools. This amount represents a 78% increase since 2003. However, airport area infrastructure is near its capacity. As a result, the Authority is faced with limitations on new development due to a lack of developable sites with sufficient utilities, roads and general infrastructure improvements. Installing additional infrastructure would allow the Authority to continue growing the tax base for the community. However, there are no viable revenue sources to install the infrastructure necessary to leverage growth of secondary, value adding industries.

#### Tax Increment Financing for Industrial Development

At the request of and in concert with the Airport Authority, the City of Great Falls intends to establish a Tax Increment Financing Industrial District (TIFID) at the Great Falls International Airport. The base year for the purposes of measuring any incremental value will be 2008 and the base value will be calculated as of January 1, 2008.

Tax increment financing is a mechanism that allows communities to use new tax dollars resulting from increasing taxable value for reinvestment within the geographic area in which they are derived. Until 1989, tax increments could only be used for rehabilitation efforts within urban renewal areas, which were usually blighted central business districts. In 1989, the Montana Legislature amended the Montana Urban Renewal Law to enable municipalities to create special industrial districts which could employ tax

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<sup>1</sup> Great Falls International Airport History, [http://www.gtfairport.com/airport\\_info/history.html](http://www.gtfairport.com/airport_info/history.html)

increment financing to assist in the development and retention of secondary, value-adding industries. In doing so, the Legislature noted that the State of Montana wishes to encourage secondary, value-adding industrial manufacturing that uses Montana timber, mineral, oil and gas, coal and agricultural resources in the production of goods in the State. The legislation recognized that secondary, value-adding industries, in order to be competitive in today's world economy, require expensive infrastructure that is beyond the means of most Montana communities. Senate Bill 472 resulted in Section 7-15-4299 Montana Code Annotated (MCA), originally codified in 1989 and amended in 2007. This law enables communities to assist in industrial development in areas that are deemed to be infrastructure deficient. Tax increment financing may now be used for improvements as defined in 7-15-4288 MCA.

In March of 2008, the Montana Department of Revenue, under its administrative rule making authority, more specifically defined "secondary industries" as those that use mechanical or chemical processes to transform materials or substances into new products in the manner defined as manufacturing in the North American Industry Classification System Manual. These industries engage in the:

- processing of raw materials, such as minerals, ore, oil, gas, coal, agricultural products, and forestry products; or
- processing of semi-finished products that are used by the industry as a raw material in further manufacturing.

"Value-added" is defined as an increase in the worth of the raw or semi-finished product that results from a mechanical or chemical transformation and may not be attributable to a mere increase in existing production.

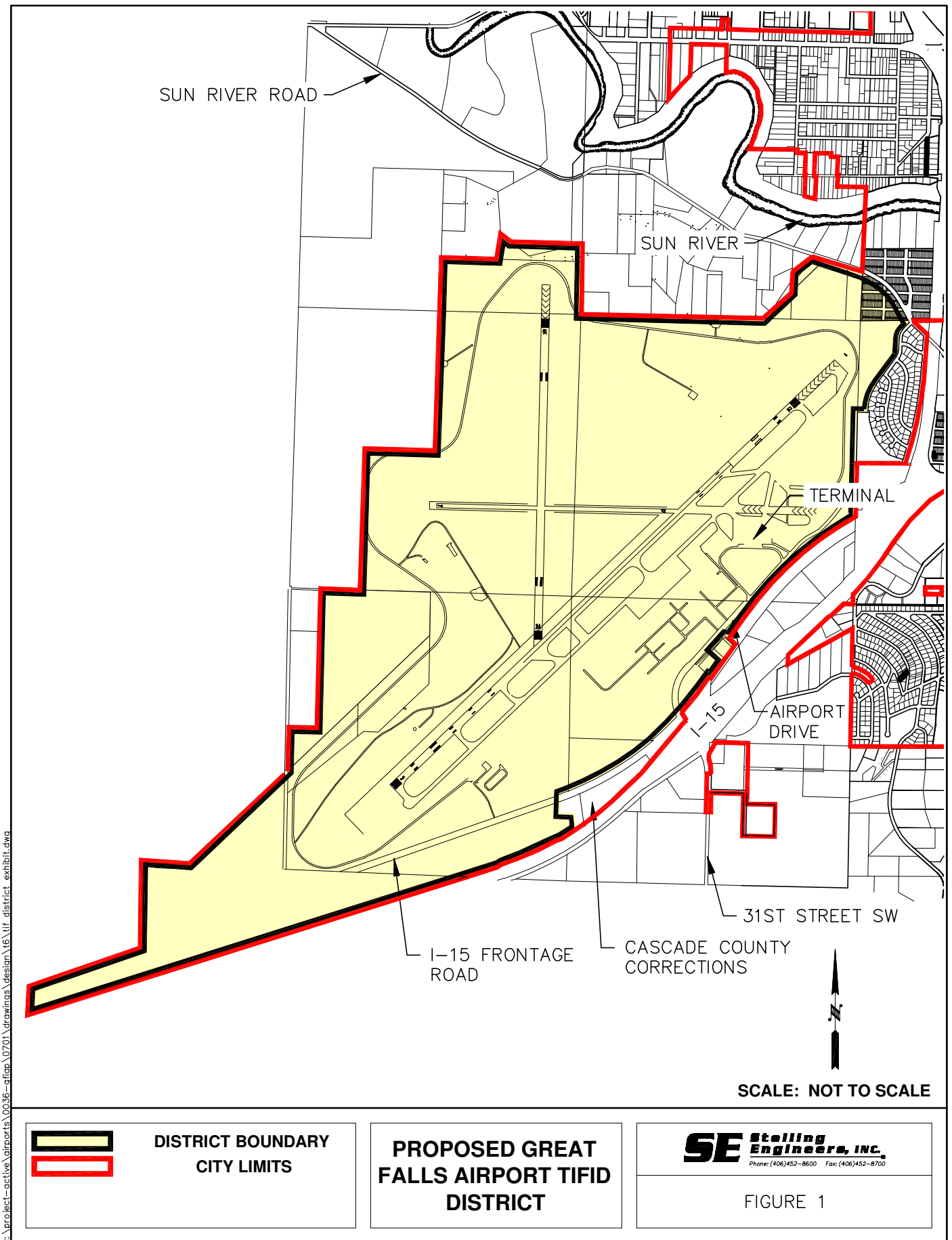
In order to make use of this innovative economic development strategy, the City of Great Falls must adopt an industrial development plan which defines the specific geographic area within which the tax increment will be measured and reinvested. Further, the plan must outline those activities that the local government intends to undertake in order to successfully develop (or retain) value-adding industrial activity.

## **2. DISTRICT DESCRIPTION**

The GFIA is situated at the western limits of Great Falls, Montana in Cascade County and is located entirely within the Great Falls corporate limits.

### Location Map

Figure 1 illustrates the proposed area of the Great Falls International Airport TIFID. (A separate Exhibit B contains the legal description of the Airport).



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### 3. EXISTING INFRASTRUCTURE ANALYSIS

The existing infrastructure at the GFIA includes a combination of public and private utility services built in response to growth and needs at the Airport. These are summarized in Figures 2-5.

Figure 2 shows current City water and sanitary sewer utilities. The Airport's location and elevation, well above all treatment facilities, dictates the location of lift stations and the distances required to service mains. Key water connections exist at three separate locations into the GFIA. All sanitary sewer lines are channeled into the single sewer main connection, just north of the Airport Interchange on Interstate 15.

Figures 3A and 3B show both the public roads and the City storm drain facilities. The Airport generally drains toward the north, and provides on-site storm water detention which is a permitted-industrial release site, through the Montana Department of Environmental Quality (DEQ). Storm water is discharged at the north end of the Airport into the Sun River. The single connection to the road network is at I-15 Interchange # 277 with Airport Drive.

As the sole access road into the GFIA, Airport Drive also provides traffic distribution for the majority of airside and all landside facilities. Airport Drive is primarily a two-lane, urban street with some supplemental turning lanes. Design and operating speeds are less than 35 miles per hour (mph). Airport Drive serves as the sole emergency access to and from the Airport and currently serves all vehicle types, with a mix ranging from large semi-trailers to passenger cars. The I-15 Frontage Road also provides access to the undeveloped, southern portion of the Airport lands, on a two-lane rural roadway. In an agreement with the City of Great Falls, the GFIA provides street maintenance on Airport Drive and other, public streets that serve the terminal and freight areas.

The Airport Perimeter Road circumnavigates the fenced (secured, airside of the Airport). Due to aviation security requirements, this roadway is considered a private roadway and has no public access. It is primarily a narrow, two-lane, paved surface with no signing, striping or shoulders.

Natural gas service lines provided by Energy West are shown in Figure 4. This current system extends along Airport Road from the Terminal/MANG areas to the north Airport boundary, terminating at the FedEx facility.

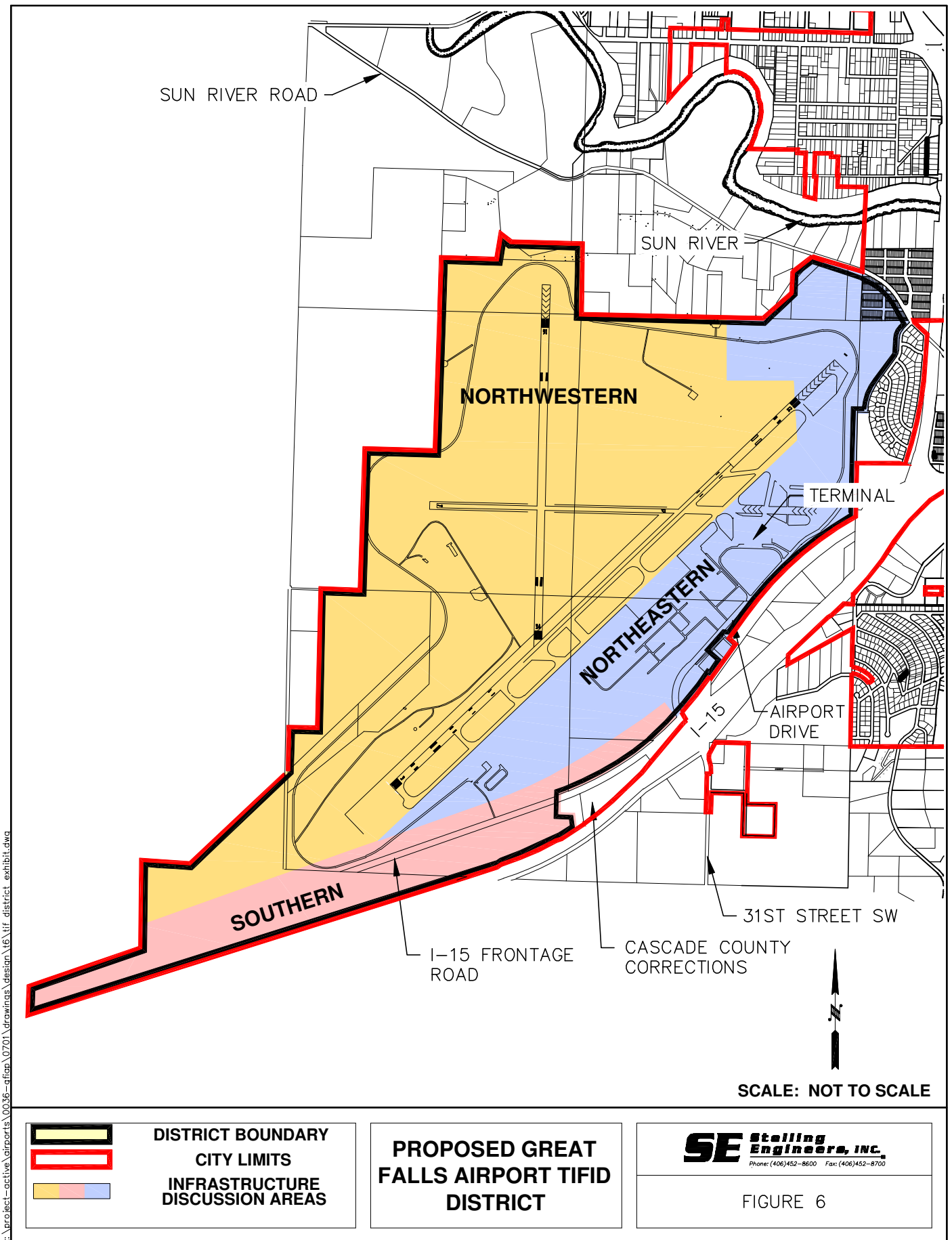
Figure 5 shows Northwestern Energy's electric lines and available communication service. Although numerous electric lines are shown along the runways, these service

lines are not considered for extension to future development. Local and long-distance telephone connections are currently available at the Terminal and developed areas. Both fiber optic and cable connections exist on the east (non-airport) side of I-15 with some fiber lines extending to specific buildings (MANG, Federal Aviation Administration, etc) within the GFIA.

#### **4. INFRASTRUCTURE DEFICIENCIES FOR TARGETED SECONDARY, VALUE-ADDING INDUSTRIES**

The development of secondary, value-adding industries in the TIFID will require adequate infrastructure -- roads, sewer, water, electricity and communications. A review of the existing infrastructure and the infrastructure needed for the development of secondary, value-adding industries within the TIFID reveals the following deficiencies, which are presented by sub area within the proposed TIFID.

Figure 6 shows three geographic areas within the TIFID that currently provide similar infrastructure services. These areas were established to summarize the infrastructure deficiencies for the development of secondary, value adding industries within the TIFID.





### Deficiencies by Area

The Northeastern Area (from the I-15 interchange, north to the FedEx complex) of the TIFID is well served by all infrastructure, except roads and communication infrastructure. The road infrastructure is limited by the lack of dual access and the capacity limits of a single, two-lane, low-speed road for all Airport access.

- Cable and fiber-optic service do not exist as services have not been extended across the Interstate to serve any of the Airport or TIFID areas at the time of this evaluation.

The Southern Area (generally south of Airport Drive and directly along the I-15 Frontage Road) has service connections at the east edge, but few extensions along the Frontage Road corridor.

- Electricity, telephone, water and sanitary sewer services are available at the east edge but would require main (or transmission line) extensions along the Frontage Road corridor.
- Gas and storm sewer would need to be connected to existing distribution systems. Gas would likely connect to existing systems in the Northeastern Area via an extension along the Frontage Road corridor. Storm systems could connect into either the Northeastern or Northwestern Areas, depending upon design needs.
- The road infrastructure provides reasonable access through this area but does not have intersection improvements (turn lanes, driveway approaches, traffic signals, lighting or roundabouts). Because the Frontage Road is under the Montana Department of Transportation (MDT) jurisdiction, additional access changes will be required to meet MDT access and design standards. The road infrastructure is also limited as Airport Drive provides the only emergency access (the Frontage Road does extend further south, but requires additional travel time that eliminates its feasibility as an emergency response route).
- Cable and fiber-optic service do not exist as services have not been extended across the Interstate to serve any of the Airport or TIFID areas at the time of this evaluation.

The Northwestern Area (all areas west of the main runway) essentially has no infrastructure suitable for industrial development. New connections to all infrastructure would be required for industry, including major extensions for:

- Water mains and service (including possible upgrading of Gore Hill systems for fire demand, which could include pump station, storage and distribution)
- Sanitary mains and distribution (including the possible addition of a lift station)
- Storm Drain Systems
- Roadway Systems (access to development and improvements to Frontage Road and/or Airport Drive)



- Gas (main and distribution lines)
- Electrical Service (transmission and distribution lines)
- Telephone Service
- Cable and fiber-optic service do not exist as services have not been extended across the interstate to serve any of the airport or TIFID areas at the time of this writing.

## 5. INDUSTRIAL DEVELOPMENT ACTIVITIES TO BE UNDERTAKEN

Once the TIFID is established, the Great Falls International Airport Authority, in concert with the City of Great Falls, will work to foster industrial economic development within the District. This program will be multifaceted and will include market analysis, capital improvement planning, industry recruitment, and project financing and implementation.

### Identification of secondary, value-adding industries

The Authority has identified industries that could be targeted for development within the proposed TIFID. This list of industries is based on the following analysis, as provided by the Authority:

*...industry groups, or clusters, have been identified as target industries for on-airport development. These industry clusters have a propensity to locate business activities on airports or immediately adjacent to airports, depending on airport land availability. Industry clusters were identified based on airport development trends throughout North America. It should be noted that these industry clusters are not specifically related to airport and aircraft services or visitor industry services. Rather, these industry clusters locate on an airport to take advantage of access to airside facilities such as air cargo facilities, aircraft aprons, taxiways and runways. By locating on the airport, these industries reduce, if not eliminate, time in trucking cross-city or –region, as well as being well positioned to receive air cargo and personnel.*

The list of potential industries is presented in Table 1, as follows.

Table 1. Potential Industries for Attraction

NAICS Code	Industry
334511	Search, Detection, Navigation, Guidance, Aeronautical, & Nautical System & Instrument Manufacturing
336411	Aircraft Manufacturing and Refurbishing
336412	Aircraft Engine and Engine Parts Manufacturing
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing
336414	Guided Missile and Space Vehicle Manufacturing
336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing
334111	Electronic Computer Manufacturing
334112	Computer Storage Device Manufacturing
334113	Computer Terminal Manufacturing
334119	Other Computer Peripheral Equipment Manufacturing
334210	Telephone Apparatus Manufacturing
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing
334290	Other Communications Equipment Manufacturing
334310	Audio and Video Equipment Manufacturing
334412	Bare Printed Circuit Board Manufacturing
334413	Semiconductor and Related Device Manufacturing
334414	Electronic Capacitor Manufacturing
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing
334419	Other Electronic Component Manufacturing
333295	Semiconductor Machinery Manufacturing

Further research and analysis will be required to determine which of these industries can be actively recruited based on market conditions and Great Falls' unique position in the market place. Issues such as energy costs related to operations and transportation, distance from markets and overall industry trends, as well as infrastructure requirements will help determine industries to be targeted.

#### Capital Improvements Planning and Implementation

The Great Falls International Airport Authority will undertake the necessary planning required to identify more particularly the infrastructure required to support the development of targeted secondary, value-adding industries. This planning effort will address necessary capital improvements and the associated costs. Infrastructure design

and development could include roads and other transportation infrastructure, pedestrian ways, sewage pre-treatment, sewer lines, water mains, utilities, street lighting and buildings.

### TIFID Program Design

Once targeted industries and required capital improvements have been more clearly identified, the next step will be to develop the mechanisms to implement the overall TIFID program. Given that private industrial development will generate the property taxes necessary to finance a portion of the infrastructure development, recruitment and infrastructure development must occur hand in hand. It is likely that construction of public infrastructure will be financed through the sale of Tax Increment Bonds in combination with other state and federal funding programs. Tax increment financing mechanisms can include:

- Tax Increment Bonds – Tax increment revenues would be pledged to pay bond principal and interest annually. The size and term of the bond would depend on tax increment revenues available from private sector taxpayers within the TIFID. While Montana law provides that tax increment districts may only be authorized for 15 years, the time period may be extended to coincide with the term of a tax increment bond, but no longer than an additional 25 years. In most cases, it will be necessary for the private taxpayer(s) to enter into an agreement with the City of Great Falls to assure, for the term of the bond, the annual payment of all property taxes due or an equivalent amount if the taxpayer no longer holds property in the district. The amount of tax increment realized each year must be enough to cover all bond payments due, as well as an adequate reserve.
- Annual Tax Increment Appropriations – The City of Great Falls may finance smaller public infrastructure improvements from its annual tax increment receipts by appropriation. Funds available each year would be determined by the size of the annual increment and any prior commitments (such as bond debt service requirements and administrative costs).
- Conventional Financing – The City of Great Falls may borrow funds from commercial lending institutions in order to finance public infrastructure improvements. Principal and interest on the loan will be paid by annual tax increment revenues. A conventional loan agreement will not, however, extend the authorized 15 year time period for a TIFID.

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

### Industry Recruitment

Once the District is established, local staff and resources and/or consultant services could be used to assist in the development of business plans, market studies and general research to recruit secondary, value-adding industries to the TIFID. Once the District starts generating revenue, TIFID funds may be directed to these activities as well.

### Partnership Development

The TIFID program will rely on cooperative efforts among the City of Great Falls, the Airport Authority and other development organizations to achieve its goal of fostering industrial development. In many cases, these cooperative partners will work jointly on market analyses, business recruitment and capital improvements planning. Also, as noted above, it will be necessary to work with other local, state and federal entities in providing additional financing and matching funds to build industrial infrastructure in the TIFID. Potential partnerships can be forged using a variety of programs and funding mechanisms. A sampling of these includes:

#### **Programs**

- The Treasure State Endowment Program (Montana)
- Community Development Block Grant (U.S. Department of Urban Development)
- The Montana Inter-cap Program
- Economic Development Administration (U.S. Department of Commerce)
- *Water, Wastewater and Solid Waste Action Coordinating Team* (a group of professionals from state, federal, and non-profit organizations that finance, regulate, or provide technical assistance for community water and wastewater systems)
- Community Transportation Enhancement Program – Under 23 USC 133 (d) (2) (Federal Code), 10 percent of the Surface Transportation Program monies are awarded to each state for transportation enhancements.

#### **Funding Mechanisms**

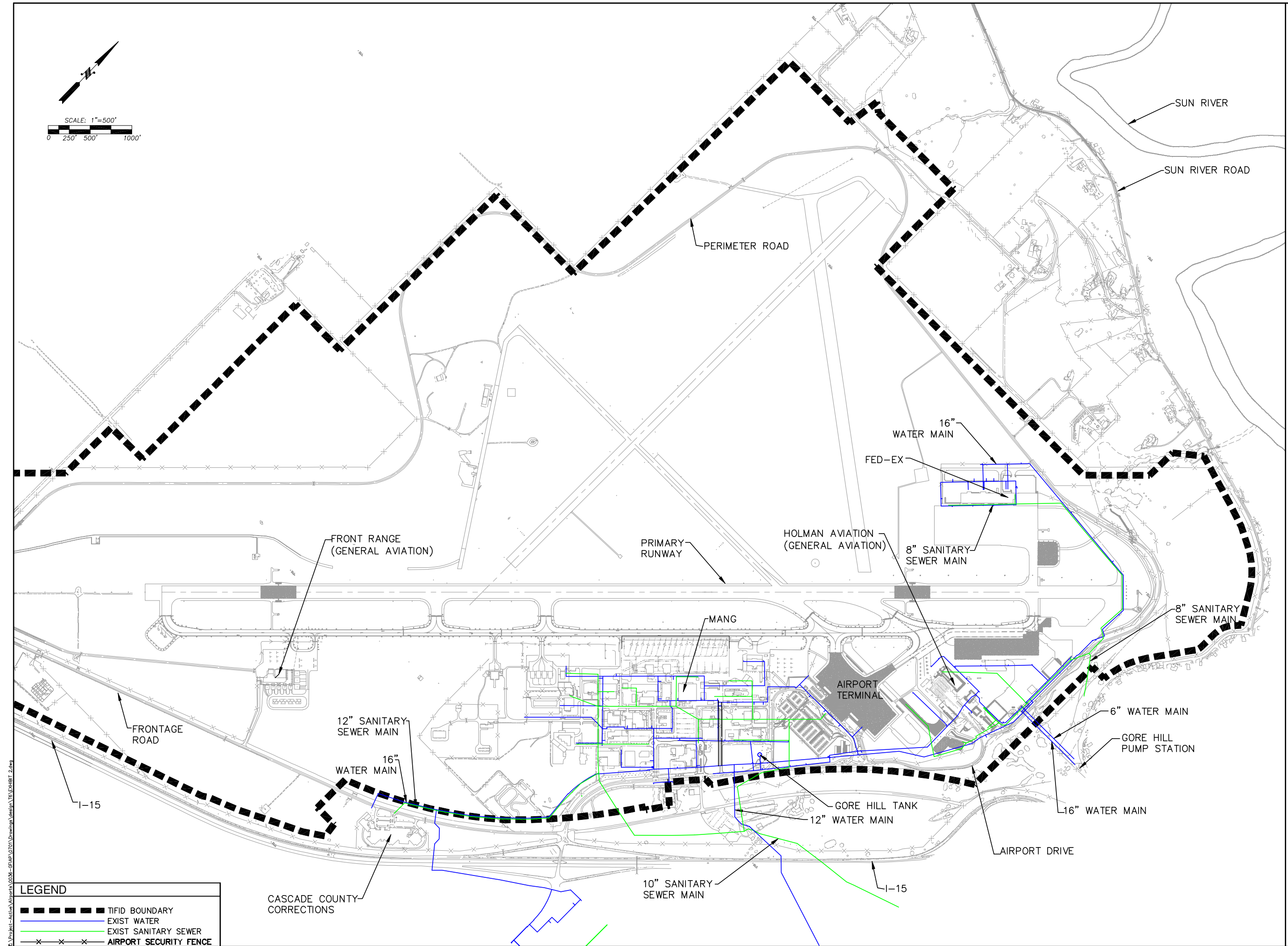
- Local mill levies for transportation infrastructure (7-14-4101 MCA)
- Transportation Improvement Authority (7-14-1001, MCA)
- Special Improvement Districts (7-12-4101 MCA)
- Debt Financing – Cities can make use of various kinds of debt financing to fund industrial development projects. These include general obligation bonds, special improvement district bonds and revenue bonds as well as Tax Increment Financing Bonds.
- State Fuel Tax (15-70-101MCA)

**SE**  
**Stalling**  
**Engineers, Inc.**  
614 Park Drive South  
Great Falls, MT 59405  
Phone: (406)452-8600  
Fax: (406)452-8700

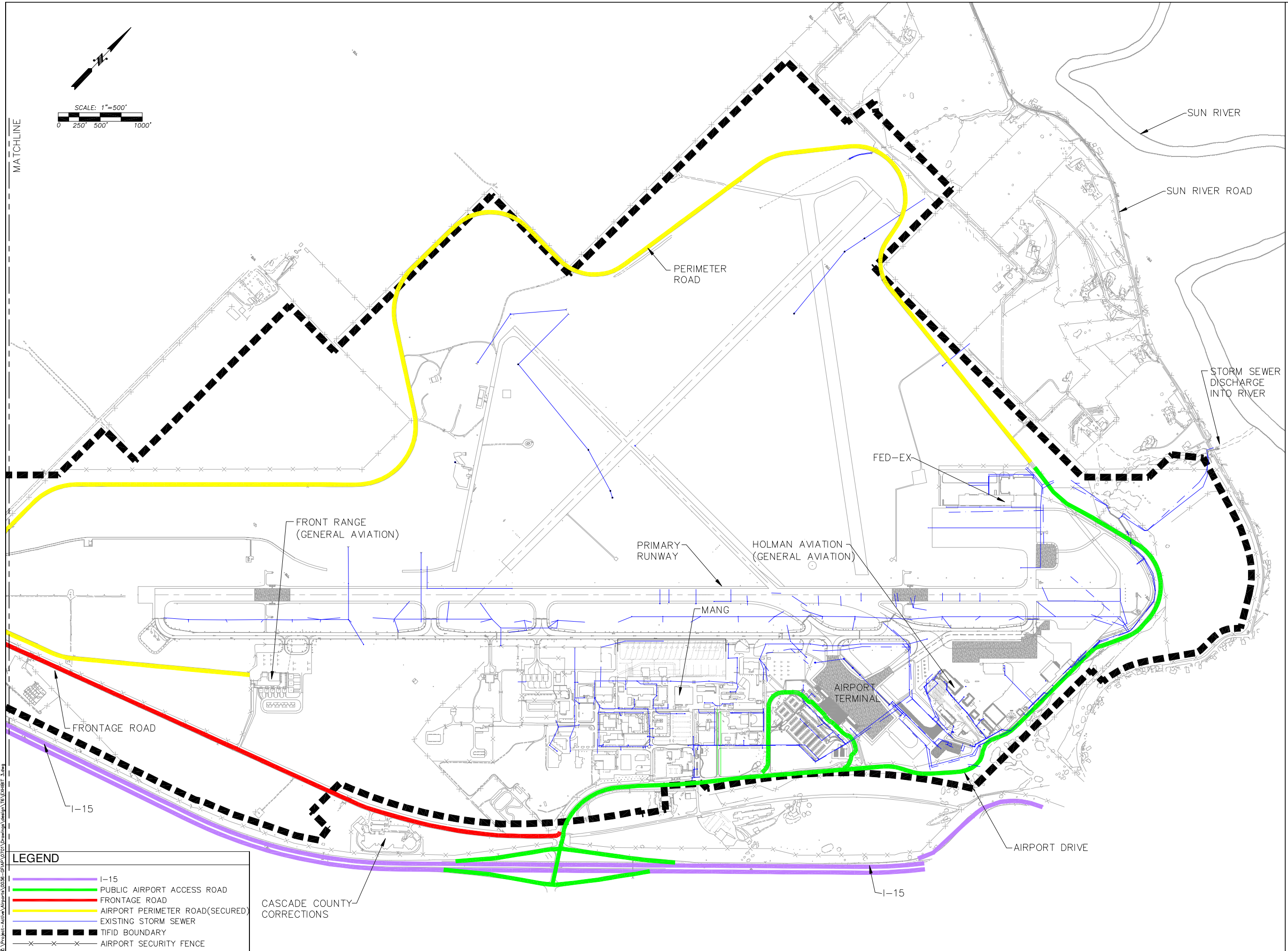
PROJECT TITLE  
**GREAT FALLS INTERNATIONAL AIRPORT  
TIFID DISTRICT  
GREAT FALLS, MONTANA**

**EXISTING  
INFRASTRUCTURE  
EXHIBIT  
WATER & SEWER**

Project Number:  
0036-0701-T6  
Cadd. Draw. #  
Exhibit 2.dwg  
Designed by:  
PWH  
Plot scale:  
AS SHOWN  
Date:  
Sheet number  
FIGURE 2





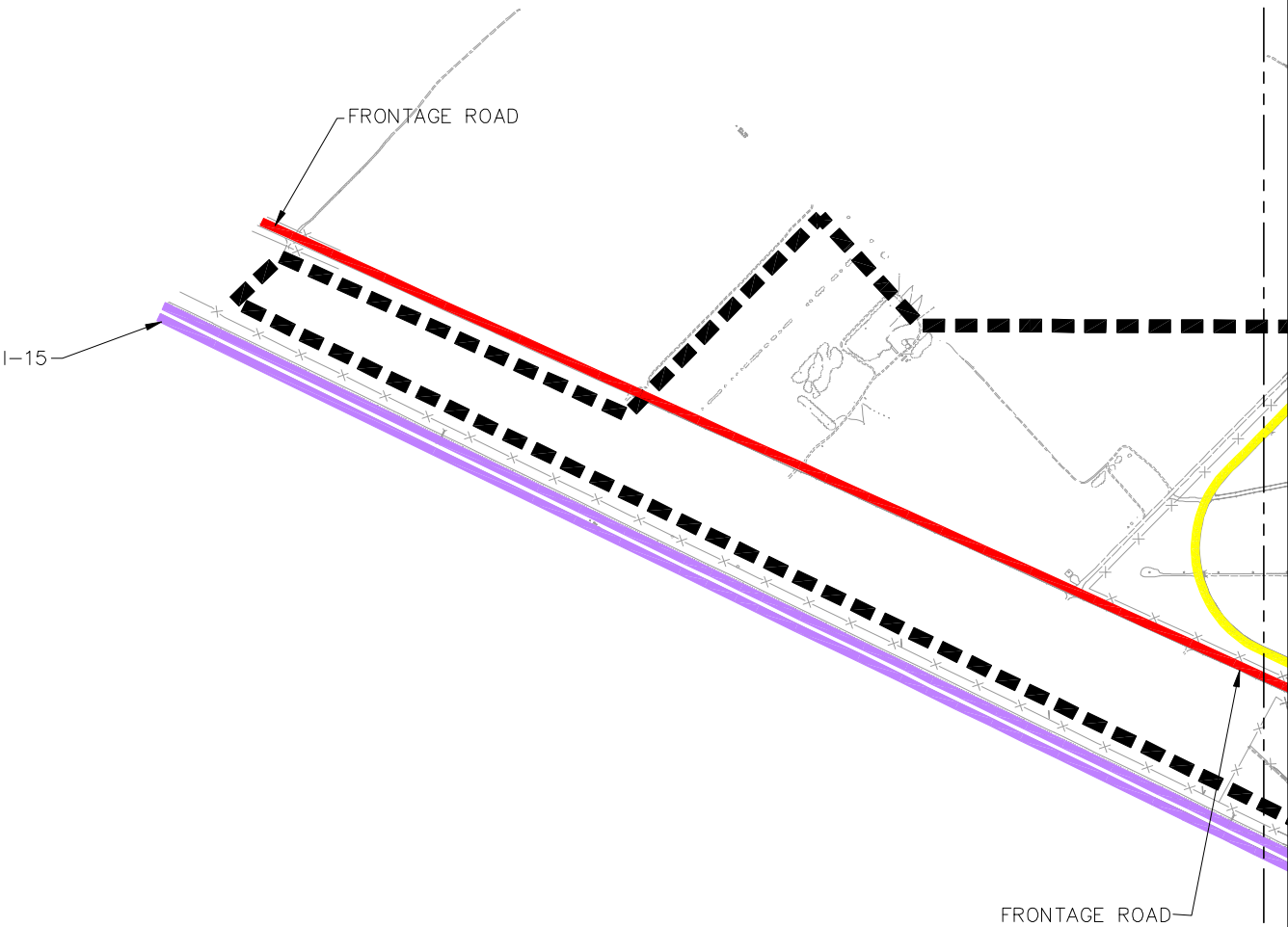
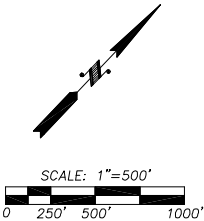


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GREAT FALLS INTERNATIONAL AIRPORT  
TIFID DISTRICT  
GREAT FALLS, MONTANA

EXISTING  
INFRASTRUCTURE  
EXHIBIT  
ROADS & STORM  
DRAINAGE

Project Number:  
0036-0701-T6  
Cadd Draw #  
Exhibit 3.DWG  
Designed by  
PWH  
Plot scale  
AS SHOWN  
Date :  
Sheet number  
FIGURE 3



LEGEND	
	I-15
	PUBLIC AIRPORT ACCESS ROAD
	FRONTAGE ROAD
	AIRPORT PERIMETER ROAD(SECURED)
	EXISTING STORM SEWER
	TIFID BOUNDARY
	AIRPORT SECURITY FENCE

Z:\Project-Active\Airports\0036-GFAA\0701\Drawings\design\TA\Exhibit\_3.dwg

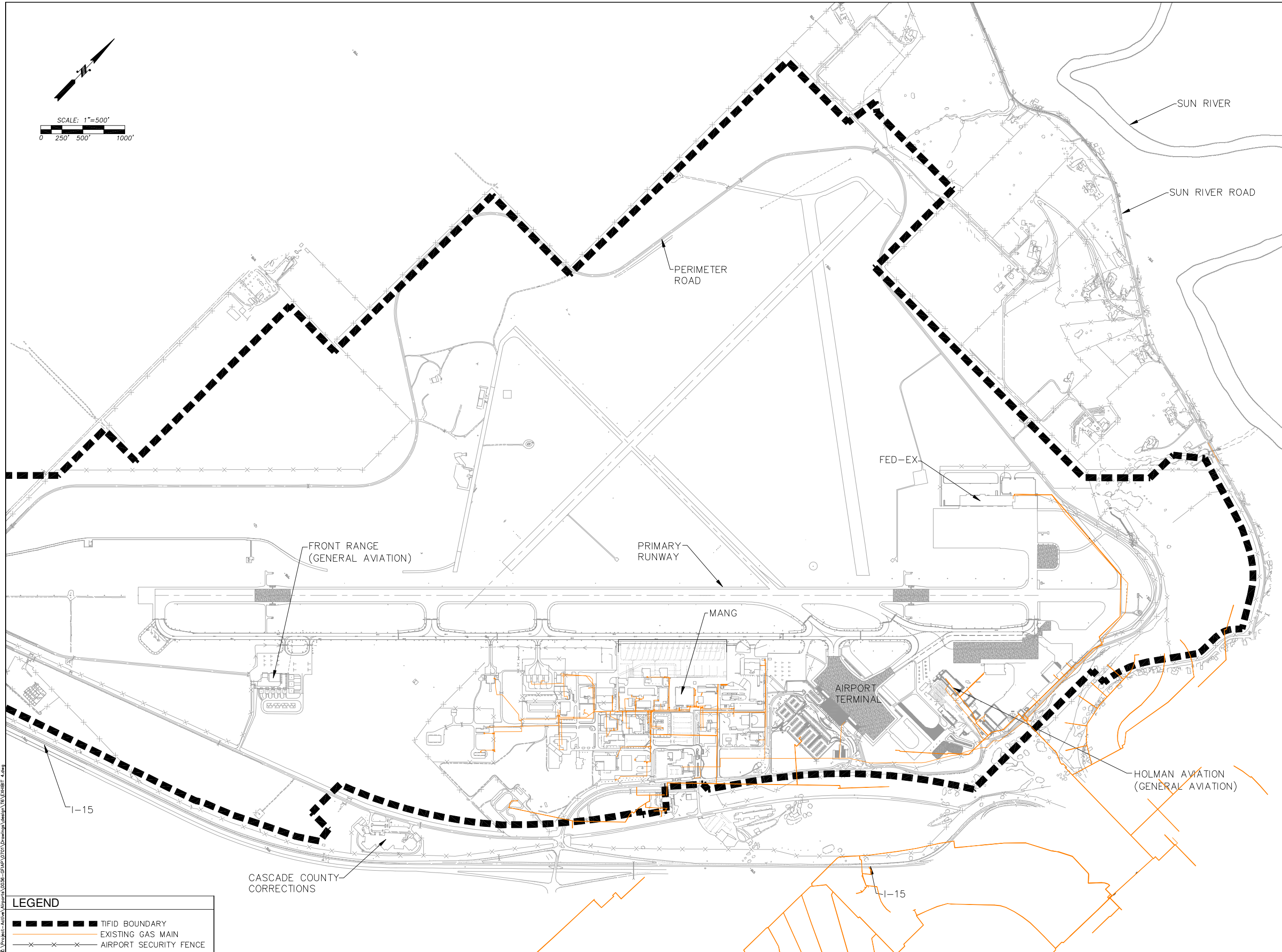


**SE**  
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Fax: (406)452-8700

PROJECT TITLE  
**GREAT FALLS INTERNATIONAL AIRPORT  
TIFID DISTRICT  
GREAT FALLS, MONTANA**

**EXISTING  
INFRASTRUCTURE  
EXHIBIT  
NATURAL GAS**

Project Number:  
0036-0701-T6  
Cadd Draw #  
Exhibit 4.dwg  
Designed by  
PWH  
Plot scale:  
AS SHOWN  
Date :  
Sheet number  
FIGURE 4



**LEGEND**

- THICK DASHED LINE: TIFID BOUNDARY
- ORANGE LINE: EXISTING GAS MAIN
- THIN LINE WITH 'X': AIRPORT SECURITY FENCE

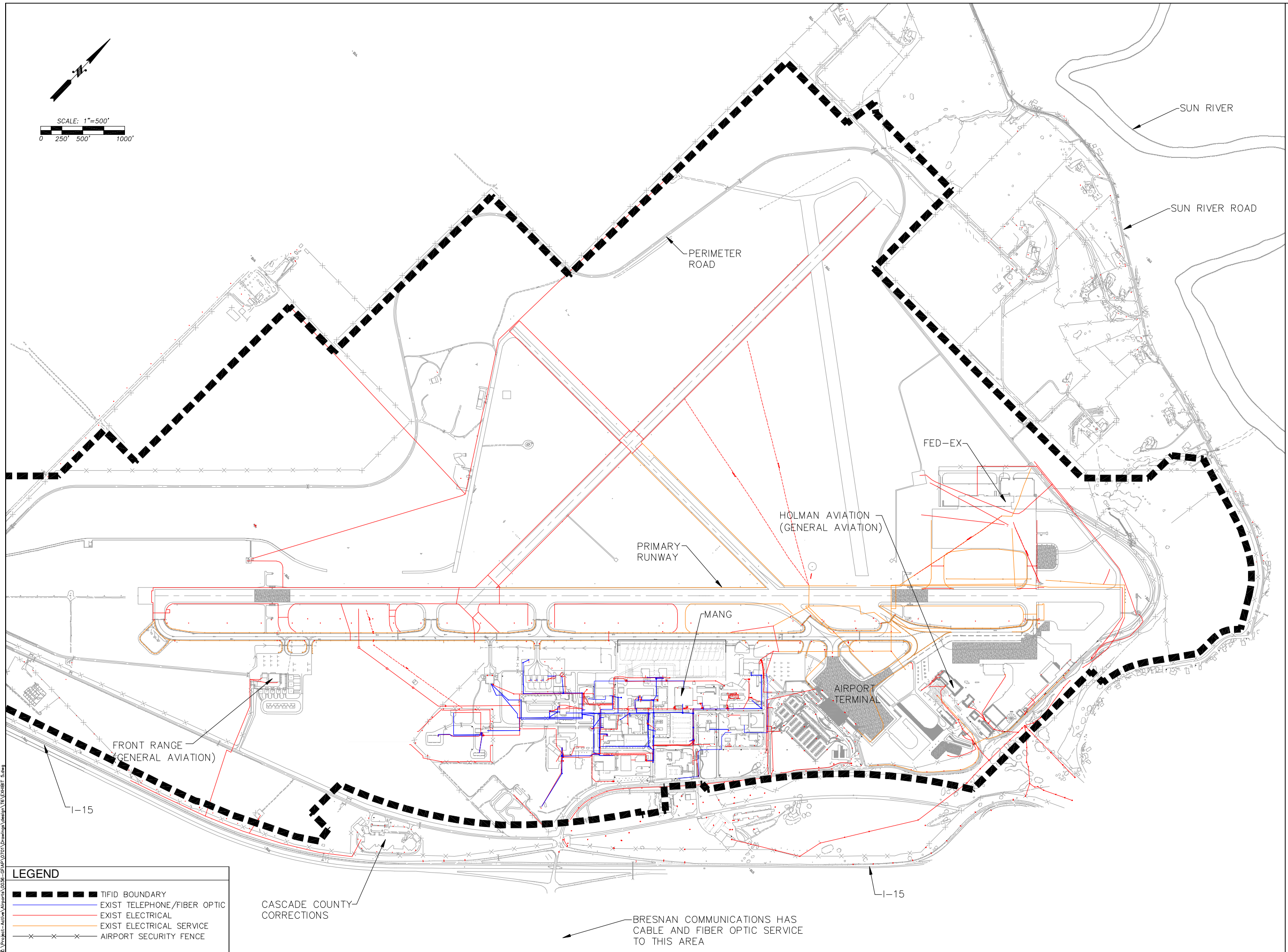
Z:\Project-Active\Airports\0036-GFA\0701-Drawings\design\T6\Exhibit 4.dwg

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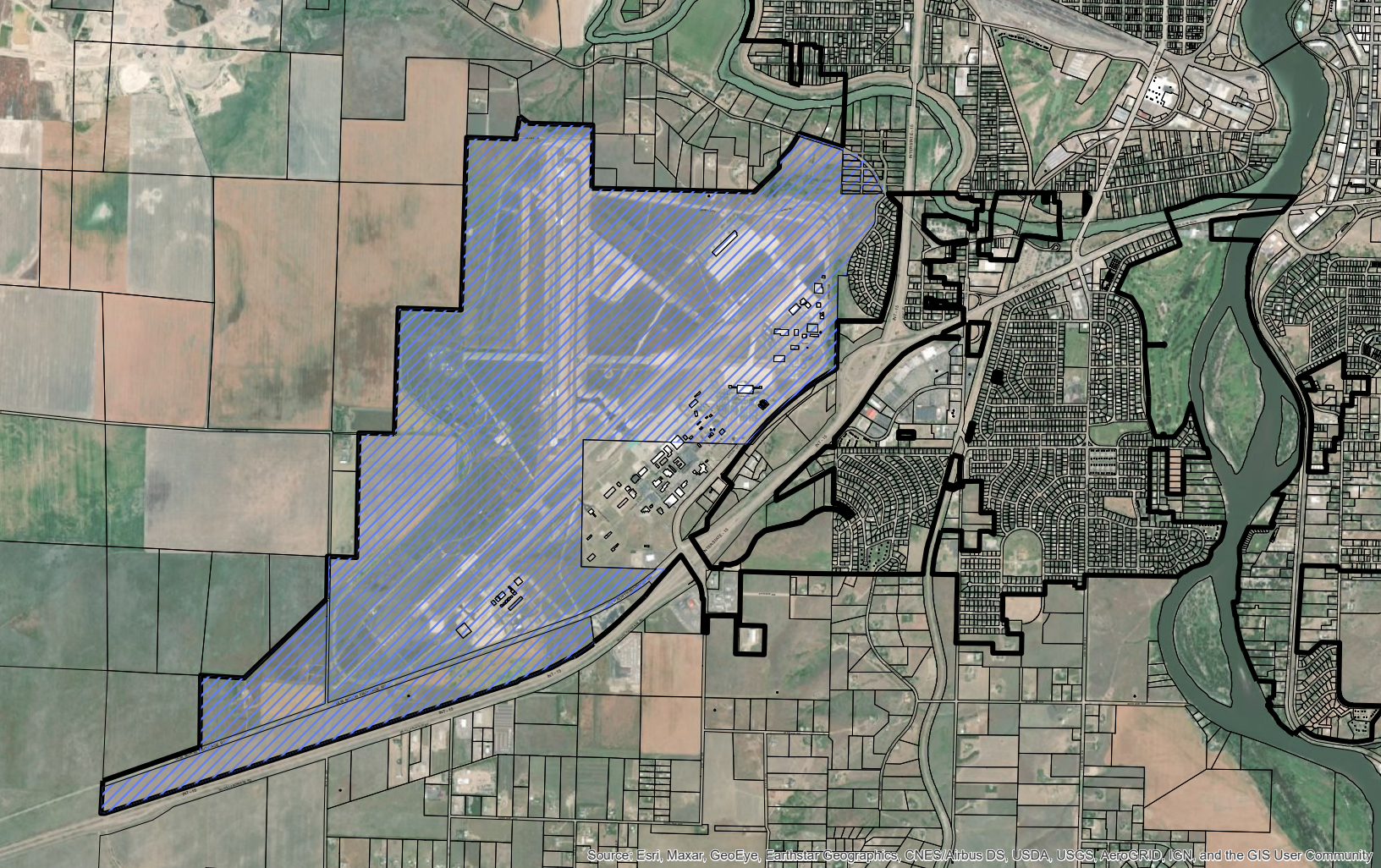
PROJECT TITLE  
**GREAT FALLS INTERNATIONAL AIRPORT  
TIFID DISTRICT  
GREAT FALLS, MONTANA**

**EXISTING  
INFRASTRUCTURE  
EXHIBIT  
ELECTRICAL &  
COMMUNICATIONS**

Project Number:  
0036-0701-T6  
Cadd Drawn by:  
Designed by: PWH  
PLOT SCALE: AS SHOWN  
Date: \_\_\_\_\_  
Sheet number  
FIGURE 5







# **CITY OF GREAT FALLS**



## **TAX INCREMENT FINANCING (TIF)**

### **APPLICATION FOR FUNDS**

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

Project Name: Airport Light Industrial Park Condominium Development  
 Date Submitted: \_\_\_\_\_  
 Name of TIF District: Great Falls International Airport Tax Increment Industrial District

**APPLICANT INFORMATION**

Name: Great Falls International Airport Authority  
 Address: 2800 Terminal Drive, Great Falls, MT 59404  
 Telephone: 406-727-3404

**DEVELOPMENT INFORMATION**

1. Building Address: 4201 Ulm N Frontage Rd Great Falls, Mt 59404
2. Legal Description: Geocode:02-3015-20-4-01-01-0000  
Legal Description: S20, T20 N, R03 E, PARCEL 2 OF COS #5051 SEC 20, 29 & 30 MK 6A
3. Ownership: Airport -Owned  
Address: 2800 Terminal Drive, Great Falls Montana 59404
4. If property is not owned by the Applicant, list leasehold interest: (*Attach evidentiary materials*).  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_
5. Existing/Proposed Businesses: Mixed-use warehouse and logistics  
Business Description: The Authority plans a joint-venture to construct metal warehouse buildings which would be subdivided and sold/leased to end users.
6. Employment: Existing FTE Jobs: 12 Airport employees  
New Permanent FTE Jobs created by project: \_\_\_\_\_ Construction FTE jobs: 12
7. Architectural/Engineering Firm: JACOBS CH2M  
Address: 9189 s Jamaica Street Englewood CO 80112  
Representative: Christopher Dodge

-1-



8. Please provide a description of the Total Project Development.

TOTAL PROJECT DEVELOPMENT DESCRIPTION

**The Site:** The Airport Authority Master Plan Update identified 300-acres along I-15 in the southwestern portion of the airport for aviation compatible commercial development. This area has height restrictions associated with the end of Runway 35-17 and will have some noise impact due to its proximity to active runways. According to Federal Aviation Administration planning standards, this area can generally accommodate buildings of under 75 feet and uses that include most indoor commercial activities that are not noise sensitive (i.e., schools).

The subject site currently has no utility access and only casual farm access approaches via the existing Ulm North Frontage Road owned Montana Department of Transportation (“MDT”). TIF dollars are proposed to construct all utilities (water, sanitary sewer, stormwater control, electric and data). There is no City stormwater infrastructure anywhere near the site, so a stormwater pond would be constructed. Also, TIF funds are requested to construct two access points into the site from the Frontage Road and a circulation road between the entrances. MDT regulations require minimum separation of nearly a quarter mile between allowable entrance points. We anticipate the need for two entrances to allow circulation of large trucks and for life-safety access in the event of an accident in an intersection given the high-speed limit on the Frontage road. The new TIF funded circulation road would be extended in the future for development on vacant land to the west of the initial site and would become the primary roadway connecting developments along the large 100+ acre track located on the south side of the Frontage Road.

**The Project:** The Authority is currently seeking to develop large metal buildings that would be approximately 80 feet deep by 300 feet long. These buildings would be subdivided into smaller bays and sold or leased to businesses and individuals. Similar “industrial” condo developments exist in many cities; often near airports. The large free span metal buildings will accommodate businesses seeking a 1,250 square foot bay up to a whole 30,000 square foot building.

The development concept of condo industrial space capitalizes on economies of scale by combining multiple businesses into large open-concept buildings that seek to maximize the advantage of common infrastructure like roads, utilities, oil-water separators etc. A condo association will maintain common building elements like roofs, walls, truck corals, etc. Even the building materials of metal roofs and paneling is designed to minimize long-term costs for small businesses.

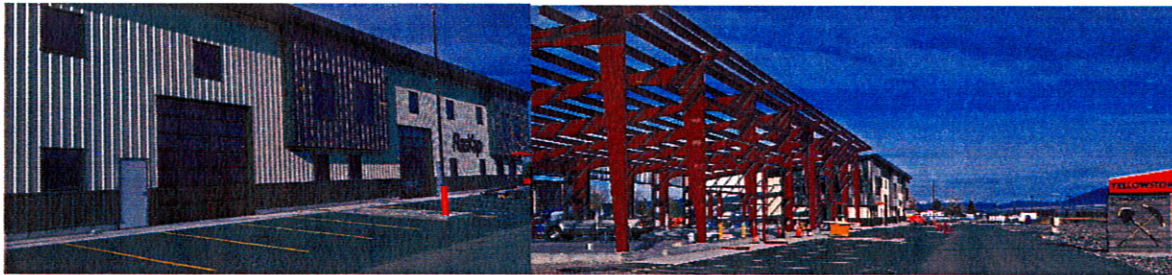
The goal of this development is to provide a new small space option in the Great Falls trade area for small industrial companies. Having researched the regional commercial real estate market, few options exist for small industrial shops. For example, a metal fabricator may not be able to locate in a wood framed garage due to fire risk and most available listings on the market are far too large and expensive for a single employee operation or even a company with several employees. Further, smaller businesses often don’t have the time or expertise to act as their own developer and locate small properly zoned land, design and permit a facility and oversee construction. This timeline can take years.

We believe that our location and open concept construction allows us to target several unique market niches in the region. Metal fabrication (i.e., welders, artists, tool and dye) will benefit from the building’s high bay open area and planned 440 power availability. Small assembly operations will benefit from proximity to both I-15, the Canadian border and Montana’s only FedEx hub. In today’s economy, many components are made overseas. Ultra-small manufacturing operations often source components from China via sites like Alibaba and often they sell their end product direct to consumers via eBay or even craigslist. These operations depend on access to air freight.

Our development concept is validated by an ongoing new development in Bozeman near their airport. The development currently consists of about a dozen 60 x 300-foot metal buildings. A number of industrial users have located in this development. The largest tenant, Flaskap, occupies an entire

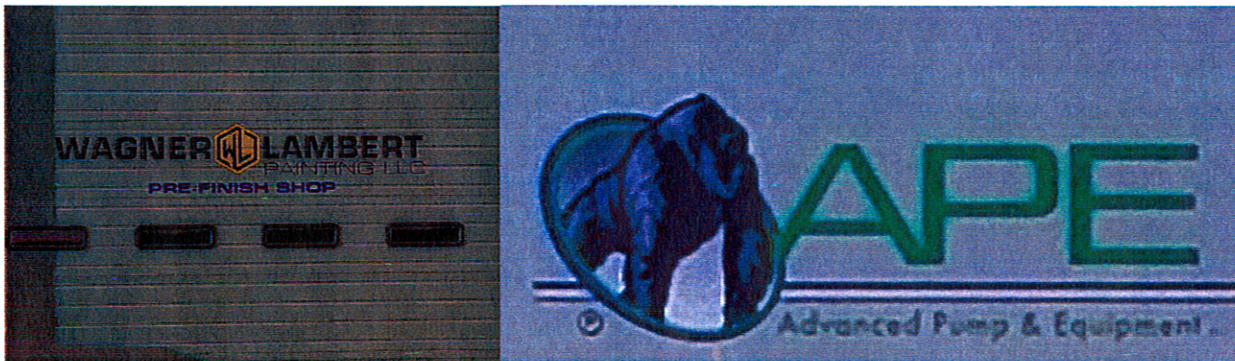
building and another half. They make liquor dispensing and measuring toppers for tumblers. A small company, this is their assembly location and corporate headquarters, taking advantage of airport proximity for both shipping product and receiving materials. The Bozeman development also houses:

- An industrial coating operation
- An industrial pump and controls shop that designs and builds sewer lift stations, dewatering systems, agricultural pump systems, etc.
- A building sign fabricator that makes aluminum frame lighted building signs using LED's (likely sourced from China and using air freight)
- A trench shoring and forms shop that will assemble and rent safety equipment for construction sites.
- Even a fruit produce distribution operation.



Flaskap

New Building Underway



Industrial coating booth

Pump and controls company

The flexibility and relative affordability of this development, particularly in the Montana market will be the key to finding tenants. Ideally, initial tenants will grow, buy a larger unit and be able to sell or lease their initial unit to another startup; thus, creating owner equity in their company. Overtime, there may be operations that can take advantage of the Foreign Trade Zone and US Customs availability at the Airport to lower the cost of their import or export operation. This development aims to allow local industry to capitalize on proximity to the existing logistics cluster that already exists at the airport exit which includes multi-modal transportation options, US Customs and multiple service providers catering to these industries (i.e., I-State Trucking, Fleet Maintenance).

Because the site for this project is so large, there really isn't a limit on the ultimate build out of this development other than market demand. The Authority anticipates that there will be enough demand for three buildings in the first ten years. At least initially, the first phase of development will be built speculatively before tenants have been identified. The first phase of development that is intended to begin in 2021 would consist of three to eight full drive-through bays (30 ft x 80 ft), which could be further divided into six to sixteen half-bays.

The Authority was approached by one tenant who wants to purchase the first double bay (30 ft x 80



ft). This tenant, Falls Truck Wash, plans to construct a truck wash. Currently, there isn't a public truck wash in Great Falls to serve our industrial users. As detailed in their attached project description, existing regulations require all trucks entering Canada to be washed prior to entry. In addition, all vehicles transporting agricultural crops, food products or livestock must be washed between loads to avoid contamination. Despite the active business in these trades in Great Falls, there is no drive-through wash facility.

Other types of development will likely take place on the remaining acreage over time. It is anticipated that future developments would tie into both the utilities and roadways that are proposed to be developed with the requested TIF funds.

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

See Attached.

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

Infrastructure will begin in the spring of 2021  
Phase I building development will start in the summer of 2021  
(Full development in 20 years)

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

No

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

Roadway Approach and Utility Construction – Phase 1

The Airport plans to commence development of utilities, site preparation (grading, etc.) and roadway approaches off of the Frontage Road in Spring 2021 to meet the timeline of our current end user. The design process will identify how much of the utility and roadway infrastructure is should be developed in the first phase versus phasing the infrastructure for future buildings.

Current construction estimates indicate that infrastructure investments of \$973,028 need to be made prior to the development of a single industrial bay. Design and construction administration costs are estimated to be an additional 10% or \$97,000 (\$70,000 Infrastructure design plus \$27,000 truck circulation design). Significant water and sewer mains are located across the Frontage Road from this site; however, MDT has a "no cut" policy that will require directional boring to access the lines. In total, site utilities, including stormwater are estimated to cost over \$450,000. Access point construction and roadways are estimated to cost \$240,000 and truck circulation around the building will add another \$281,000. We anticipate the truck circulation costs may not be TIF eligible.

The Airport would like to use the funds that currently exist in the TIF District to reimburse early costs of the project such as design of infrastructure which we estimate to cost \$70,000; however, additional funds will be required for construction and the Authority would like to bond the annual TIF proceeds to provide the funding needed to complete the infrastructure improvements. If the TIF is approved, the Airport Authority would fund early construction costs and be reimbursed from Bond proceeds once they are available if necessary.

13. Please indicate the amount of Public Infrastructure Need and the amount of Public Infrastructure being

The airport is requesting to be reimbursed in the amount of \$110,000 from funds existing in the TIF account. We hope to issue bonds for an additional \$652,780 in infrastructure costs.

-2-

### TOTAL PROJECT DEVELOPMENT COSTS

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

#### **Land and Site Preparation Improvements** (Itemized)

1. Value of Land	\$	
2. Infrastructure Design	\$	70,000
3. Electrical Extension	\$	31,867
3. Gas Extensions	\$	30,120
4. Water Extension	\$	75,625
5. Sanitary Sewer	\$	76,100
6. Stormwater	\$	212,055
7. Data/communication	\$	26,600

**Subtotal**

**\$522,367**

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

1. Roadways and Entrance Flatwork	\$	240,143	
2. Truck Circulation Pavement	\$	280,518	
3. Building #1 Phase I (3 units)	\$	900,000	
3. Building #1 Phase II (4 units)	\$	1,200,000	
4. Building #1 Phase III (6 units)	\$	1,800,000	
5. Building #2	\$	4,000,000	
6. Building #3	\$	4,000,000	
7. Truck Circulation Design	\$	27,000	\$

**Subtotal**

**\$ 12,447,661**

#### **Equipment Costs** N/A (Total value of equipment)

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

**Subtotal**

**\$ \_\_\_\_\_**

**Total Project Development Costs**

**\$ 12,626,667**

-3-

**ELIGIBLE TIF ACTIVITIES**

**Land Acquisition**

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

**Demolition & Removal of Structures**

1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
<b>Subtotal</b>	_____	_____	_____

**Relocation of Occupants**

1.	_____	_____	_____
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**Public Improvements**

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

1. Electric
2. Waterlines
3. Sewer
4. Storm sewer improvements
5. Roadway approaches
6. Internal Streets

**Subtotal            \$692,780**


**Fees (associated with eligible activities)**

*(A&E design/supervision, permits & other fees) \$70,000*

1. Jacobs CH2M (A & E) **\$70,000**
- 2.
- 3.

# CERTIFICATION

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

Signature 

Title Airport Director

Address 2800 Terminal Drive, Great Falls, Mt 59404

Date 2/12/21

Signature \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

# Falls Truck Wash

## Project Description

**Project Definition:** Falls Truck Wash will provide a fast-convenient place for truck drivers, construction equipment and large vehicle owners to wash their equipment. We will also provide service to all large and small vehicles.

- **Facilities:** Falls Truck Wash plans to construct a large-scale wash facility in a 30 ft x 80 ft metal building located in the Great Falls Airport Logistics Park. The constructed facility will need to meet all City and State requirements.
- **Falls Truck Wash Ownership**  
Makenzie Rummel  
Shane Rummel

**Market Need:** Logistics is one of the fastest growing segments in the World economy. Within our region, Great Falls is a particularly strategic logistics location as the first major city inside the Canadian Border and as home to Montana's only FedEx hub facility. Unlike many regions, not only does our area rely on logistics to supply our goods, our region is also a massive exporter of agricultural goods both live and crops. For all of these reasons, over-the-road transport is an important growth industry in our region.

Within our community, Gore Hill is a cross-road of the trucking industry. Exit 277 houses two major truck stops that pump 2 million gallons each and a third facility ("Love's") soon to start construction. I-State and Fleet Maintenance also operate large truck repair facilities at the Airport. One of United Material's largest gravel pits is located off of Exit 277. In addition, a locally-owned independent trucking business is located here. Finally, both FedEx and UPS operate their air freight operations on opposite sides of I-15.

For the above reasons, Gore Hill is the community's primary cluster of interstate commerce logistics and a significant amount of both domestic and international freight are patronizing this exit today. Currently no truck wash facility exists within Great Falls although a competing facility is currently in planning.

- **Regulatory Requirements:** We are happy to serve anyone who wants a clean vehicle, but in addition to latent demand for clean vehicles; there are strict regulatory requirements governing cleaning of transport vehicles. For example:
  - All international transport trucks must be washed prior to entering Canada. It is important for Great Falls to offer this service to ensure that export drivers and returning Canadian trucks can meet their regulatory requirement to engage in import/export services.



- Any produce carrying truck must be washed between switching types of produce. These are strict requirements to avoid cross contamination of food products.
- Livestock hauling trucks must be washed after hauling to meet state and federal sanitation guidelines.
- Many federal and state material requirements for asphalt and concrete have very tight specifications that require transport equipment to be washed between hauling construction material including gravels, concretes, etc.

For these reasons, truck washing is an important enabling service that needs to be available in the Great Falls community in order to meet regulatory requirements of our interstate commerce operators.

Truck washing services are vital to health and growth of both our interstate commerce and our import/export businesses servicing and located in this region. This need will grow as our regional commerce grows and becomes even more reliant on logistics and trucking to provide our goods and move our products to market.



Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10400 – A resolution to approve a conditional use permit to allow a “Indoor Sports and Recreation” land use in the Parks and Open Space (POS) zoning district at the property addressed as 900 29th Street South; Resolution 10402 – Resolution to vacate 28th Street South between 8th Avenue South and 10th Avenue South, 9th Avenue South and 9th Alley South between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street South; and a Non-Administrative plat to aggregate all associated parcels and the rights-of-way to be vacated. (OF 1770)

**From:** Erin Borland, Planner III, Planning and Community Development Department

**Initiated By:** City of Great Falls Park and Recreation Department

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

**Action Requested:** City Commission adopt Resolution 10400, adopt Resolution 10402 and approve the amended plat, per the Findings of Fact/Basis of Decision.

**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:**

Commissioner moves:

I. "I move that the City Commission (adopt/deny) Resolution 10400, a conditional use permit to allow a “Indoor Sports and Recreation” land use in the Parks and Open Space (POS) zoning district at the property addressed as 900 29th Street South, and the accompanying Findings of Fact/Basis of Decision 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.

Commissioner moves:

II. "I move that the City Commission (adopt/deny) Resolution 10402 to vacate 28th Street South between 8th Avenue South and 10th Avenue South, 9th Avenue South and 9th Alley South

between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street South."

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

Commissioner moves:

III. "I move that the City Commission (approve/deny) the amended plat aggregating the parcels as legally described in the Staff Report, and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicants"

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

---

**Staff Recommendation:** At the conclusion of a public hearing held on March 23, 2021, the Zoning Commission recommended that the City Commission approve the applicant's request for a conditional use permit. Additionally, the Planning Advisory Board recommended that the City Commission approve the applicant's request to aggregate the parcels into two parcels including the rights-of-way to be vacated contingent upon the City Commission's decision.

Staff recommends approval of the Conditional Use Permit and the Non-Administrative Plat with the following conditions:

**Conditions of Approval for Conditional Use Permit:**

1. **Subsequent Modifications and Additions:** If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. **Expiration:** The Conditional Use Permit shall expire two years after the date of issuance, if a Certificate of Occupancy has not been issued. The Director of Planning and Community Development may extend the expiration date by up to one year if substantial work is ongoing. The Director of Planning and Community Development may issue a Temporary Certificate of Occupancy that is valid for no more than one year if the only condition(s) remaining to be fulfilled involve landscaping that cannot be successfully established until the weather permits.
3. **Abandonment:** If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
4. **General Code Compliance:** The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
5. **Development Standards:** The proposed project shall be developed in compliance with the Development standards as set forth in Exhibit 20-4 in the Land Use Chapter of Title 17 - the

Land Development Code. The proposed project will follow the standards for the PLI Public Lands and Institutional zoning district.

6. **Parking:** The minimum required parking on site will be set at 130 spaces with the possibility of expanding up to 180 spaces within the project area.
7. **Landscaping:** The City's landscaping requirements will be as follows:
  - Ten boulevard trees will be required along the project's 29<sup>th</sup> Street frontage, but placement shall be allowed within both the boulevard and project area
  - The off street vehicular area landscaping requirements may be met through additional landscaping provided outside the boundary of the proposed parking area.
  - The rate of planting required shall be 25 trees and 100 shrubs including perennial substitutions at a ratio of 2:1.
8. **Acceptance of Conditions:** No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

**Conditions of Approval for the Non-Administrative Plat and Vacation of Rights-of-way:**

1. **Amended Plat:** The applicants shall provide a revised Amended Plat of the subject properties which shall incorporate corrections of any errors or omissions noted by Staff.

**Background:** After an extensive public participation process, the City of Great Falls adopted a new Park and Recreation Master Plan in October of 2016. This Plan provides a detailed analysis of the community's park and facility inventory as well as both facility and maintenance needs for the department. One of the most critical facilities identified was the need for a Multi-generational Center that would replace the existing natatorium and recreation center.

In June of 2020, the City of Great Falls seized upon a unique opportunity to submit an application to the former Office of Economic Adjustment, now known as the Office of Local Defense Community Cooperation (OLDCC), for a Defense Community Infrastructure Program (DCIP) grant to fulfill the Master Plan recommendation for this key facility need. The application was for a 10 million dollar grant with a 10 million dollar match to build a new indoor aquatic and recreation center for the city. This facility would replace the old natatorium that has been shut down and combine it with a recreation center in one new facility. The emphasis of the grant is to create a City and Malmstrom Air Force Base partnership to accomplish the following goals for the community: 1) create a training facility for Airmen to alleviate the cost of Temporary Duty (TDY) training for required water rescue, 2) improve the quality of life for Airmen and their families as well as residents in the community and, 3) bring the community together as a whole.

In September 2020, the City received word that it was officially awarded the grant for 10 million dollars. City Staff proceeded with a Request for Proposals (RFP) process and selected a design team to start the site selection and design of the facility. Per the grant's required schedule, construction must start within a year after the grant is awarded.

After research, preliminary design, cost analysis and soil testing was performed on multiple sites for the facility, the Lions Park property has been selected as the best fit for the facility. The advantages of the Lions Park property include its central location, multiple opportunities for site access, and the type of foundation system that can be used due to suitable soils.

Lions Park was established as a city park in 1952 by Resolution 4410. According to a park system inventory prepared by the City Clerk and the City Engineers Office in 1961, Lions Park was tentatively planned to have a swimming pool. The park is located between 27th Street South and 29th Street South, and 8th Avenue South and 10th Avenue South. The park is approximately 14 acres with several amenities such as the Lions Club Memorial, tennis courts, a swing set and a pavilion.

The proposal for the new Indoor Aquatics and Recreation Center includes a facility just under 45,000 square feet with two levels. The facility will provide a lap pool, recreation pool with zero depth entry, a full size gym with two cross courts, child watch area, multi-purpose rooms, a party room, a fitness area with a walking track, and other amenities to support the programs that the Park and Recreation Department have to offer.

Public Notice for the City Commission's public hearing was published in the Great Falls Tribune on May 2, 2021, after the City Commission set the public hearing at the April 20, 2021. At that meeting the City Commission adopted Resolution 10401, a Resolution of Intent to vacate the public rights-of-ways in the park and also set the public hearing for the Conditional Use Permit. Public comment was received at that meeting with positive support for the project. To date, Planning and Community Development as well as the Park and Recreation Department have received several inquiries from residents requesting general information about the project, those asking questions about the design and conditional use permit process, as well as community members giving comments for and against the project. The Park and Recreation Department has also created a FAQ page on the City website for the Indoor Aquatic and Recreation Center project, which is updated regularly with information. The public notice and hearing schedule has been included on that page.

#### **Conditional Use Permit Request – Resolution 10400:**

The applicant is requesting a conditional use permit to allow an "Indoor Sports and Recreation" land use in the Parks and Open Space (POS) zoning district at the property addressed as 900 29th Street South. Each zoning district that is established in the City has uses that are permitted outright, conditionally permitted through a public review process to determine project suitability, or not allowed in the district. All use categories are located in the Land Use chart in Title 17 – Land Development Code, Chapter 20. The table below shows the requested use and how it is permitted, conditionally permitted or not allowed in each zoning district.

**Exhibit 20-1. Principal Uses by District**

Use	R-1	R-2	R-3	R-5	R-6	R-9	R-10	C-1	C-2	C-3	C-4	C-5	M-1	M-2	PLI	POS	GFIA	I-1	I-2
Indoor sports and recreation	-	-	-	-	-	-	-	-	P	-	P	C	C	C	C	C	P	P	-

- The use is not permitted in the district

C The use is allowed through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 6 of this chapter, as appropriate

If a use is conditionally permitted, Staff reviews the proposal based on the development standards for the zoning district the requirements set forth in the Land Development Code, and finally the impact of the proposal on City utilities and other public services, the surrounding transportation network, as well as the use of adjoining properties. Special conditions can be established by Staff or the City Commission to ensure that the conditional use is compatible with the surrounding context of the neighborhood.

Exhibit 20-4 in Title 17 of the Land Development Code sets the standard for all zoning districts for lot sizes, building heights and setbacks. The Parks and Open Space zoning district is the only district that does not have development standards due to the district's purpose to facilitate open space and City park and recreation areas. Therefore, the development standards of the Public Lands and Institutional (PLI) zoning district are the most applicable standards to apply to the proposed conditional use. Below is a table showing the development standards for the proposed project in relationship to the standards established for the PLI zoning district.

#### Development Standards based on Exhibit 20-4

	Proposed Project Specific Standards (POS)	PLI
Minimum lot size for newly created lots	11.808 acres	7,500 sq. feet
Minimum lot width for newly created lots	551.10 feet	50 feet
Maximum building height of principal building	36'-9" height	100 feet by right; 101 feet to 160 feet as conditional use, except as follows; in the proposed medical district master plan area, 160 feet by right
Maximum building height of accessory building	Possible outdoor storage for MAFB/MANG will not exceed 24 feet	24 feet, but may not be higher than the uppermost elevation of the principal building
Minimum front yard setback of principal and accessory buildings	25 feet (Building) 2 feet (Parking)	25 feet
Minimum side yard setback of principal and accessory buildings	207 feet (North) 144 (South to alley)	10 feet each side
Minimum rear yard setback of principal and accessory buildings	459 feet	1/10 of lot depth but not less than 1/10 of building height
Maximum lot coverage of principal and accessory buildings	7.7%	Corner lot: 70% Other lots: 60%

The review of the project by Staff is designed to analyze the impact of the project on both City services and surrounding neighborhood context. The basis for decision for a conditional use permit is listed in OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, Zoning Commission recommendation, or additional information demonstrates that the decision of the City Commission shall at a minimum consider the criteria which are attached as Findings of Fact - Conditional Use.



Based on the Findings of Fact/Basis of Decision and Staff review of the project, several conditions of approval have been incorporated into the request to help minimize the impact of the facility and to preserve as much park space as possible.

**Vacation of Public Rights-of-Way – Resolution 10402:**

Resolution 10402 is for the applicant's request to vacate 28th Street South between 8th Avenue South and 10th Avenue South, 9th Avenue South and 9th Alley South between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street South is required in conjunction with the request to aggregate all the lots with a non-administrative plat. Staff has spoken with the applicant about existing city utilities that will be affected by the vacation. A 20-foot wide easement is not required for access to existing public utilities due to the City owning the land in which the vacations are taking place. An exhibit has been attached to Resolution 10402 to show the rights-of-way to be vacated.

According to Section 7-3-4448, Montana Code Annotated (M.C.A), the owner must file a request for the intent to vacate any right of way. A Resolution of Intent was adopted by the City Commission on April 20, 2021, and the Commission set a date for a public hearing regarding the vacation of right of way. M.C.A. requires a petition to be sent to each of the owners abutting the right of way property. Unless 51 percent of the affected property owners object to the proposed vacation, the Commission may, by ordinance, declare such vacation. Staff notes that the applicant is the only property owner on either side of the right of way and the Notice of Acknowledgement of Receipt of Notice of Intent to Vacant has been signed by the applicant.

**Non-Administrative Plat Request:**

Concurrent with the request for the Conditional Use Permit, the applicant proposes to aggregate all the parcels still platted in the park as well as the proposed vacated right-of-way into two parcels. One of the parcels will contain the majority of the park including the proposed Indoor Aquatic and Recreation Center development. The second will accommodate a future lease parcel that would require a rezone of the property if the City chooses to facilitate a commercial development to supplement the new recreation center. The draft amended plat showing the aggregation has been attached for review. The draft amended plat vacates the right-of-way of 28th Street South, 9th Avenue South, 9th Alley South and a portion of 10th Alley South; and then aggregates all of the vacated rights-of-way into the main parcel for the park. The draft plat requires Planning Advisory Board and City Commission review due to Montana Code Annotated (MCA) 76-3-207 (2) which states:

"within a platted subdivision filed with the county clerk and recorder, a division, redesign, or rearrangement of lots that results in an increase in the number of lots or that redesigns or rearranges six or more lots must be reviewed and approved by the governing body before an amended plat may be filed with the county clerk and recorder."

Staff has prepared Findings of Fact based on the criteria for a subdivision. Additionally, pursuant to the OCCGF, Staff has reviewed the plat for compliance with the survey requirements of this Title and State law, provisions of easements for the location and installation of any planned utilities, and review of physical and legal access to the parcels. The recommendation of the Planning Advisory Board and the decision of City Commission shall at a minimum consider the criteria that are attached as Findings of Fact/Basis of Decision – Subdivision.

### **Impacts of the proposed Project on Public Infrastructure:**

*City Streets:* Access to the facility will be from 29th St South, with anticipated primary traffic from 10th Ave South. There are three proposed access points, the primary access that aligns with 9th Ave South, and two secondary access points that align with the alleys to the north and south of 9th Ave South. Circulation through the site has also been design to minimize any possible thru traffic movements to the businesses to the South. The design team has analyzed alternative points of access, but at this time do not find them necessary for the project.

The design team met with Montana Department of Transportation (MDT) with the applicant and appropriate City Staff to discuss possible access from Lions Park to 10th Avenue South. MDT concerns about direct access to 10th Avenue South prohibited an in depth analysis of modifications to 10th Avenue South that would have allowed such access. The additional impact to the park was not preferred by the City.

*Water:* The facility is proposed to be located on a portion of the site where an existing 6" public water main is located. The existing main will be realigned around the south side of the new facility. The new main will be upsized to an 8" line and will tie back into the existing main in 29th St S.

*Sanitary Sewer:* The new facility will need to be served by a new sewer service line. Existing sewer mains are located to the north and south of the proposed building and run to the east and west. A new service line will be installed to tie into one of the mains on either side of the new facility.

*Stormwater Management:* The building is situated on the high point of the site and the post developed runoff will be directed away from the building to the north, south, and east. The runoff will be conveyed as surface runoff via curb and gutter and then will be collected and detained onsite to be released at pre-development rates.

### **Traffic Analysis:**

A full traffic analysis developed by Senior Transportation Planner, Andrew Finch, has been included as an attachment to this agenda report. The report incorporates traffic counts and a summary memo provided by the Public Works Department. Recommendations from the traffic analysis are as follows:

1. Provision of bicycle parking and/or secure bicycle storage is recommended to reduce the number of vehicular trips. Such facilities should be installed in compliance with Title 17, Chapter 36 of City Code.
2. Full connections between the Center project and the trails in Lions Park should be made and designed for direct and safe pedestrian and bicycle travel. This is especially important since the existing parking lot for Park users would be replaced by parking adjacent to the Center.
3. Traffic control at nearby intersections should be reviewed and, if necessary, installed soon after opening of the Center, especially at the 8<sup>th</sup> Avenue South and 29<sup>th</sup> Street South and at 9<sup>th</sup> Avenue South and 29<sup>th</sup> Street South intersections. Given the projected increase in traffic on 29<sup>th</sup> Street South, it is likely that traffic control at these intersections could be necessary after opening of the Center. Intersections further to the east along 9<sup>th</sup> Avenue South should also be monitored for future traffic control needs, if warranted.
4. Full ADA curb ramps at all corners surrounding Lions Park should be installed as soon as monies are available to provide safe and convenient pedestrian connections for all users.
5. After opening of the Center, prohibition of parking on one or both sides of portions of 29<sup>th</sup> Street South may be warranted due to the narrowness of the street. Traffic movements along this street segment should be reviewed soon after opening.

6. Safety and delays at 29<sup>th</sup> Street South and 10<sup>th</sup> Avenue South should be monitored. If future conditions warrant the need, signalization may be an option that could be pursued with the Montana Department of Transportation.

### **Neighborhood Council Input:**

The subject properties are located in Neighborhood Council #9. The applicant and design team presented information on the project to Council #9 on February 11, 2021. The Council as well as community members asked questions and give comment on the project. Planning and Community Development Staff then presented the Conditional Use Permit application to the Council. The Council voted to approve the Conditional Use Permit. The applicant also attended the Neighborhood Council meeting on March 11, 2021 to provide an update to the Council and answer additional questions from the community and Council.

### **Public Questions and Comment from the Planning Advisory/Zoning Commission Public Hearing:**

A public hearing was conducted on March 23, 2021 as a requirement of the Conditional Use Permit process for the subject project. Several questions were asked from community members as well as the Planning Advisory Board/Zoning Commission members. Staff as well as the design team and applicant answered the questions and then public comments were made by proponents and opponents. The full record of these questions and comments are dictated in the minutes of the meeting and have been attached to this agenda report.

**Fiscal Impact:** The City was awarded a 10 million dollar grant from the Office of Local Defense Community Cooperation (OLDCC) for their Defense Community Infrastructure Program (DCIP). This grant is required to be matched with funds from the City. The City will match this grant with funds from the Great Falls Park District #1. This will be accomplished by bonding against the District for the funds. At the May 4, 2021 City Commission meeting, Resolution 10406 authorizing the issuance and private negotiated sale of up to \$10,000,000 Special Park District Bonds was approved by the Commission after a first reading and support with public comment.

**Alternatives:** The City Commission could deny any portion of the applicant's request. If such action is taken, the Commission must develop alternative findings to support such a denial decision.

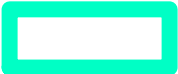
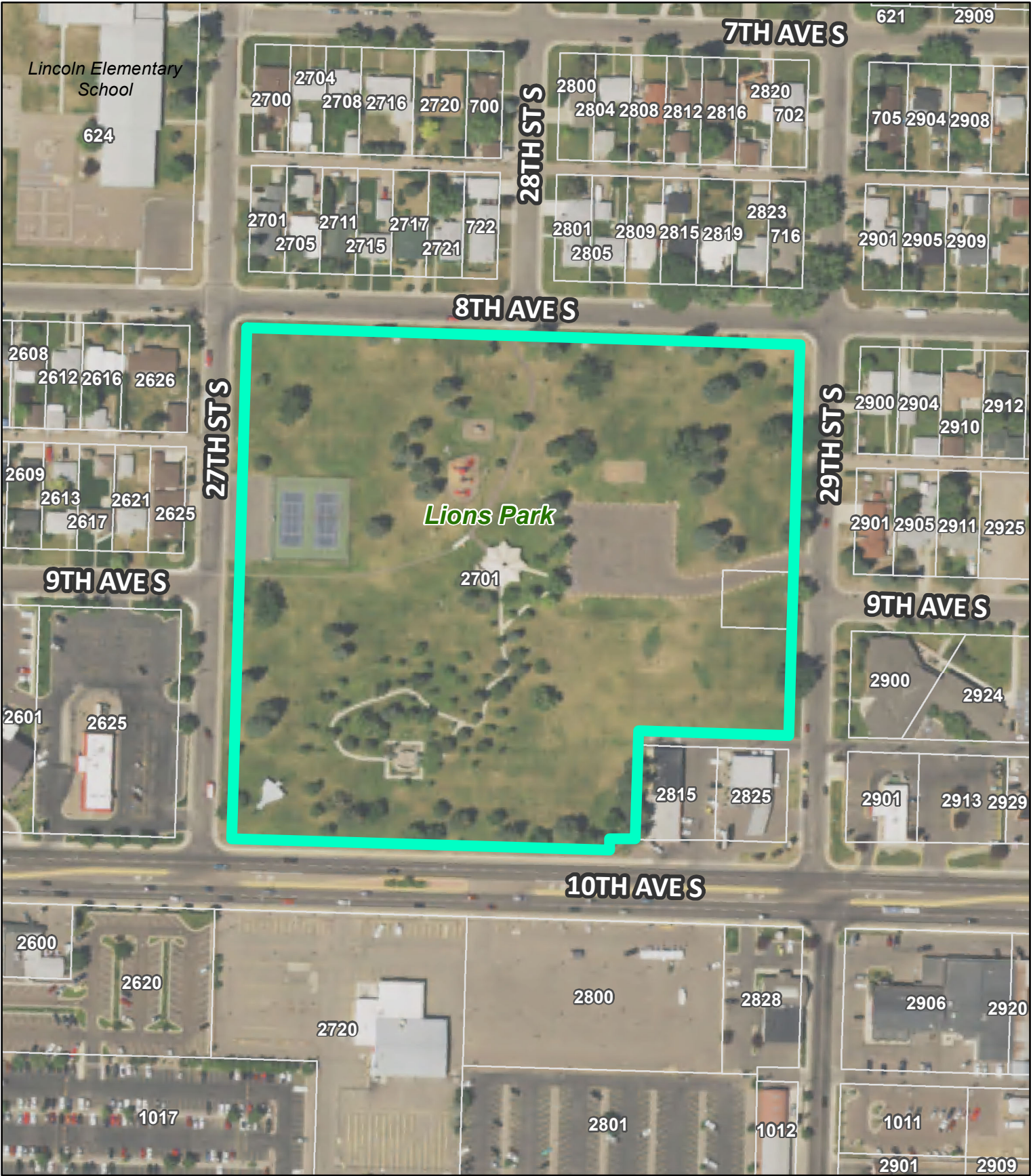
**Concurrences:** Representatives from City's Park and Recreation, Public Works, City Manager's Office, Fire and Legal Departments have been involved throughout the design process as well as the review process of this application. All comments have been taken into consideration for the recommendation of the project. Also, representatives from Malmstrom Air Force Base and the Montana Department of Transportation have been involved throughout the design process and their comments have been taken into consideration as well.

### **Attachments/Exhibits:**

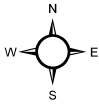
- Location Map
- Zoning Map
- Resolution 10400
- Findings of Fact/Basis of Decision – Conditional Use Permit
- Site Plan
- Resolution 10402 – Resolution to Vacate
- Resolution 10402 Exhibit
- Petition Request for right-of-way vacation

- Findings of Fact/Basis of Decision – Subdivision
- Draft Amended Plat
- Building Floor Plans and Renderings
- Traffic Analysis
- Minutes from the March 23, 2021 Planning Advisory Board/Zoning Commission
- Citizens Submitted comments for the Public Hearing – March 23, 2021
- Additional Public Comment Received

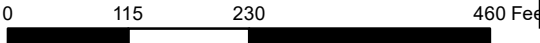
# Location Map



Subject Property - Lions Park

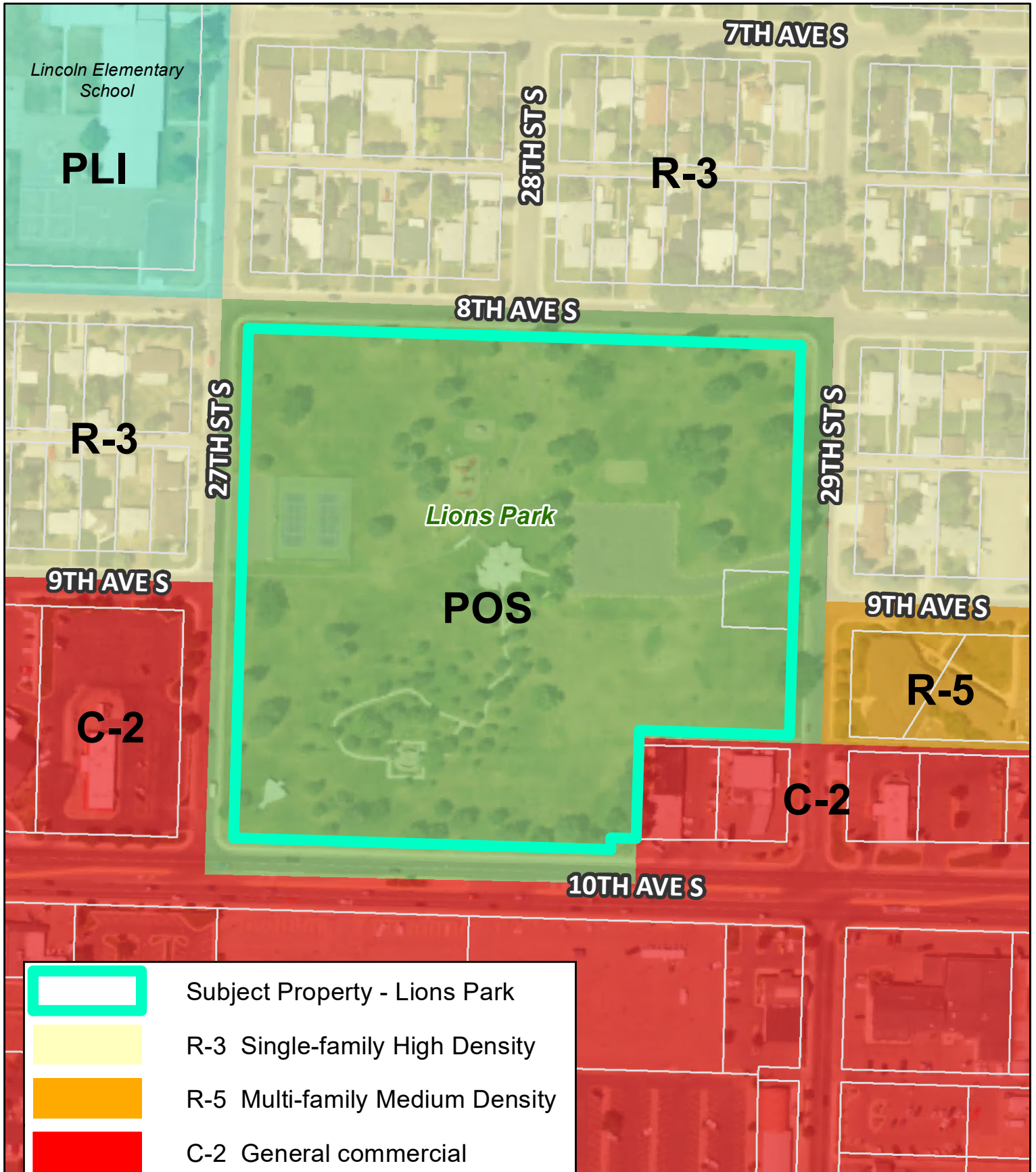







Date: 3/18/2021  
Drawn By: Planning

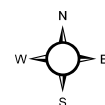




# Zoning Map



	Subject Property - Lions Park
	R-3 Single-family High Density
	R-5 Multi-family Medium Density
	C-2 General commercial
	PLI Public Lands and Institutional
	POS Parks and Open Space



Date: 3/4/2021  
Drawn By: Planning

0 115 230 460 Feet



## RESOLUTION 10400

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A "INDOOR SPORTS AND RECREATION" LAND USE IN THE PARKS AND OPEN SPACE ZONING DISTRICT UPON A PARCEL OF LAND ADDRESSED AS 900 29TH STREET SOUTH, GREAT FALLS, MONTANA.

\* \* \* \* \*

WHEREAS, the City of Great Falls has been petitioned to approve a Conditional Use Permit to allow for the establishment of a "Indoor Sports and Recreation" land use upon the property addressed as 900 29th Street South, Great Falls, Montana (subject property); and,

WHEREAS, the subject property is presently zoned POS Parks and Open Space, wherein a "Indoor Sports and Recreation" land use is permitted upon receiving approval of a Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit for the establishment of a "Indoor Sports and Recreation" land use upon the subject property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF) Section 17.16.36.040; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on March 23, 2021, to consider said Conditional Use Permit application and, at the conclusion of said hearing, passed a motion recommending a Conditional Use Permit for a "Indoor Sports and Recreation" land use be granted by the City Commission for the subject property, subject to the following conditions:

#### CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT

1. **Subsequent Modifications and Additions:** If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. **Expiration:** The Conditional Use Permit shall expire two years after the date of issuance, if a Certificate of Occupancy has not been issued. The

Administrator may extend the expiration date by up to one year if substantial work is ongoing. The Administrator may issue a Temporary Certificate of Occupancy that is valid for no more than one year if the only condition(s) remaining to be fulfilled involve landscaping that cannot be successfully established until the weather permits.

3. **Abandonment:** If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
4. **General Code Compliance:** The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
5. **Development Standards:** The proposed project shall be developed in compliance with the Development standards as set forth in Exhibit 20-4 in the Land Use Chapter of Title 17 - the Land Development Code. The proposed project will follow the standards for the PLI Public Lands and Institutional zoning district.
6. **Parking:** The minimum required parking on site will be set at 130 spaces with the possibility of expanding up to 180 spaces within the project area.
7. **Landscaping:** The City's landscaping requirements will be as follows:
  - Ten boulevard trees will be required along the project's 29<sup>th</sup> Street frontage, but placement shall be allowed within both the boulevard and project area
  - The off street vehicular area landscaping requirements may be met through additional landscaping provided outside the boundary of the proposed parking area.
  - The rate of planting required shall be 25 trees and 100 shrubs including perennial substitutions at a ratio of 2:1.
8. **Acceptance of Conditions:** No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

WHEREAS, the City Commission having allowed for proper public notice, conducted a public hearing to consider said application, and considered the comments and recommendations made by the Zoning Commission.

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

That a Conditional Use Permit be granted for a “Indoor Sports and Recreation” land use at the property addressed as 900 29th Street South, Great Falls, Montana, conditioned upon the owner complying with the conditions listed herein; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that, pursuant to the Official Code of the City of Great Falls (OOCGF) 17.16.36.090, the permit shall be considered a covenant that runs with the land and shall be binding on all subsequent property owners. Additionally, pursuant to OOCGF 17.16.36.100, the Conditional Use Permit shall expire two (2) year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion. If the Conditional Use is established, but ceases to operate for more than six (6) months, the Conditional Use Permit shall expire.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION 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 May 18, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara Sexe, City Attorney

## **CONDITIONAL USE PERMIT - BASIS OF DECISION**

The applicant is requesting a conditional use permit to allow an “Indoor Sports and Recreation” land use in the Parks and Open Space (POS) zoning district.

### **PRIMARY REVIEW CRITERIA:**

The basis for decision for a conditional use permit is listed in OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, Zoning Commission recommendation, or additional information demonstrates that the decision of City Commission shall at a minimum consider the following criteria:

**1. The zoning and conditional use is consistent with the City’s Growth Policy and applicable neighborhood plans, if any.**

The proposed conditional use is consistent with the overall intent and purpose of the 2013 City of Great Falls Growth Policy Update. This project is strongly supported by the Social, Economic and Physical portions of the Growth Policy.

**Social** (Excerpt below taken from Page 38 of the Plan)

“The Social element includes population, health and wellness, housing, and local community services such as police, fire, and parks, as well as the contribution of non-profits. This element is intended to address the broad holistic well-being of the City’s residents at large. The Social element recognizes that the biggest asset the City has is its people and their well-being.” The approval of the conditional use would promote several goals and policies associated with the Social element especially looking at the wellness piece of this element. The Growth policy states under wellness that “Neighborhood design has a role in promoting a healthy community, we should encourage built environments in which residents have more opportunities to be physically active and connected.”

The conditional use is also supported by the following social policies as well:

- SOC1.2 Employ innovative strategies to promote, enhance and utilize the City’s parks.
- SOC1.2.1 Continue to provide quality recreational programs and facilities to meet the current and future needs of area residents.
- SOC1.2.3 Pilot the use of native or low maintenance, xeric, or native vegetation to manage and reduce the maintenance needs for parks.
- SOC1.3 Develop and maintain the City's community facilities and cultural resources.
- SOC1.3.3 Partner with other governmental and non-governmental entities to coordinate improvement projects, promote joint uses, avoid duplication, and maximize the public benefit of facilities and services.
- SOC1.3.4 Ensure that affected citizens, agencies, and other interested parties are given adequate notice and opportunity for meaningful participation in decisions on locating or expanding community facilities and services.
- SOC1.6 Work cooperatively with the community at-large and the City’s neighborhoods.

- SOC1.6.1 Ensure that community facilities are designed, constructed, and maintained as attractive social and environmental assets in the neighborhoods where they are located.

### **Economic**

This project is an excellent opportunity to grow and develop the relationship with key partners in the community including the community's military partners. The conditional use also supports the following economic policies outlined in the City's Growth Policy:

- ECO 3.1 Support, cooperate, expand and adjust, if necessary, to the current and future military mission in Great Falls.
- ECO3.1.1 Support, cooperate and maintain coordination with Malmstrom Air Force Base and the Montana National Guard (MANG).
- ECO3.1.4 Develop and maintain collaborative relationships with key stakeholders impacted by the military.
- ECO3.1.8 Increase the attractiveness of Great Falls as a destination location for retirees, including military veterans.
- ECO3.6 Promote Great Falls as a destination location and expand the City's assets and amenities.

### **Physical** (Excerpt below taken from Page 98 of the Plan)

"The Physical portion of the Growth Policy Update includes the built environment of the City, and those elements, both natural and man-made, that influence the way the City looks and functions. Some of these factors include the design and lay-out of the City, its design, the City's development standards, and the infrastructure of the City."

This project will enable the City to utilize and enhance a park with a facility that will benefit the whole community. The City will be able to utilize existing utilities and enhance the infrastructure system within both the park and surrounding area. The conditional use also supports the following physical policies as well:

- PHY4.1 Encourage a balanced mix of land uses through-out the City.
- PHY4.1.2 Expand neighborhood commercial uses, mixed-use development and local food choices where appropriate.

## **2. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.**

The approval of the conditional use permit would allow for a new facility to be built that would fill various voids in the city including replacing the closed natatorium and executing a partnership with Malmstrom Air Force Base to provide a training facility that is lacking in Great Falls. Even though the facility will take up a portion of the park, it will give the community a new facility with many health benefits. As noted in the Growth Policy, "Lack of physical activity is a central risk factor for obesity, as well as heart disease, cancer and stroke. The Park and Recreation Department creates active and passive recreational opportunities for the public at

large to engage in healthy and beneficial activities.”

This facility will enable the Park and Recreation Department to continue providing recreational opportunities to the community as well as increase opportunities due to greater programming capacity. The National Recreation and Park Association states that, “Increased access to places for physical activity lead to a 25% increase in people exercising 3 or more days a week.” The applicant has worked with the design to ensure that not only will the facility provide the programming the community needs but also that the design will preserve as much park space as possible to create a facility that enhances the park instead of detracts from the park. Therefore, Staff finds that the approval of the conditional use permit will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.

**3. The conditional use 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 approval of the conditional use will not be injurious to the use and enjoyment of other properties in the area. The facility is strategically placed closer to the commercial uses of the area. The parking has been designed to disperse the parking throughout the site to minimize large areas of asphalt and preserve as much greenspace as possible adjacent to the residential units in the area. The swing sets that will be disturbed will be relocated so that the use of them will still be available in the park. The facility was placed in an area of the park that would not interfere with other elements of the park that are used on a daily basis such as the memorial, trails, and the pavilion.

According to a report by the *Trust for Public Land*, “More than 30 studies have shown that parks have a positive impact on nearby residential property values”. The applicant understands how important a park is to the neighbors and how it can have an impact on their property value. By enhancing the park with this facility as well as the additional trees and shrubs that will be added to the park, the proposed conditional use will have a positive impact on the property values within the neighborhood.

**4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

As mentioned in the agenda report, Lions Park was established in 1952 by Resolution 4410. According to a park system inventory prepared by the City Clerk and the City Engineers Office in 1961, Lions Park was tentatively planned for a swimming pool. While the proposed use will allow a significantly sized active recreation facility to be constructed in the park, a significant portion of the park will remain untouched to continue the park’s more passive recreation function. Also, the surrounding areas are completely built out and therefore the conditional use will not impede development. Rather, the presence of both active and passive recreational opportunities may increase the desirability of nearby residential areas and promote increased property investment.



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

As noted in the agenda report, the proposed conditional use is being designed to utilize the existing water and sewer mains that have already been constructed on the property. A portion of the existing 6" water will require a replacement with a new 8" inch main. As noted in the agenda report, the project site is located along four existing streets and there will be multiple entry and exit points into the facility from 29<sup>th</sup> Street South. As for stormwater, water quality measures will be provided through landscaping design and detention ponds. The detention ponds will also keep runoff rate to pre-development conditions before it is released into the City's storm drain system to the east of the site.

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

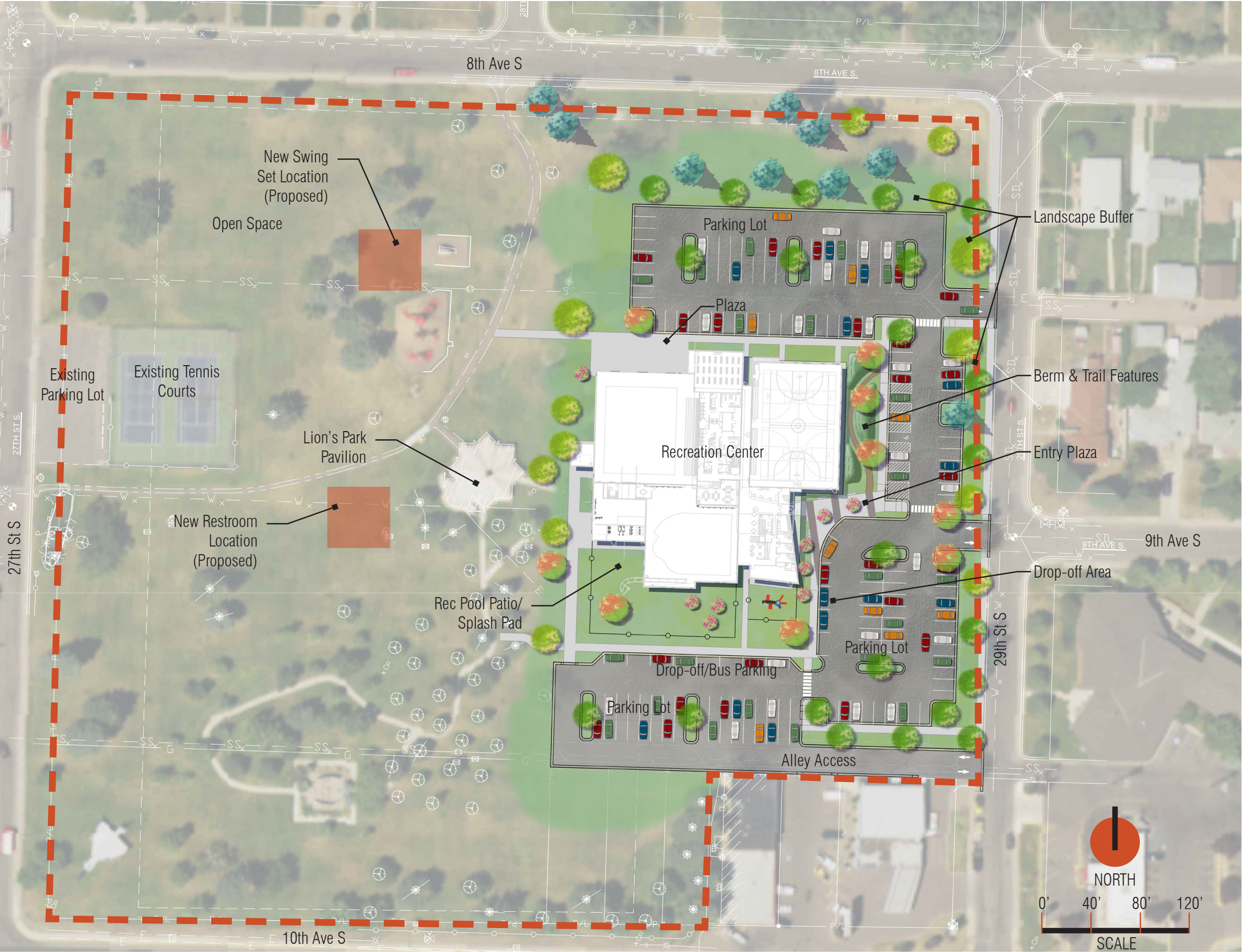
As mentioned above, access has been designed to come off of 29<sup>th</sup> Street South in order to anticipate the majority of the traffic coming from 10<sup>th</sup> Ave S and to reduce the amount of traffic dispersing into the adjacent neighborhood. Parking facilities have been provided to also minimize on street parking in the neighborhood. A traffic analysis been provided and included in this agenda report. The analysis looks at the existing conditions of the area with data collected by the Street and Traffic Division of the Public Works Department. As noted in the analysis, there are some issues that will require the City to monitor traffic as well as consider construction of improvements. These include installation of nearby ADA ramps, monitoring of on-street parking activity along 29<sup>th</sup> Street South, as well as traffic count collection at various intersections along the 29<sup>th</sup> Street South corridor. These are reasonable issues for the City to address going forward, while still allowing for the conditional use to be approved and for the recreation center to be constructed and start its operation.

**7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.**

All developments must meet the development standards set forth in Title 17 – Land Development Code, Exhibit 20-4. This exhibit sets standards for zoning districts including lot sizes, building heights and setbacks. The Parks and Open Space zoning district is the only district that does not have development standards due to the nature of the zoning district and the limited uses allowed or conditionally allow in the zoning district. Therefore, the development standards of the Public Lands and Institutional zoning district will be applied to this development. The conditional use requests exceeds the basic requirements of the PLI district. Also due to the nature of the project and the goal to preserve as much park space as possible, Staff has worked with the applicant to add conditions that are specifically tailored for the project.



Great Falls Recreation Center: Conceptual Site Plan



Malmstrom Air Force Base

--- Lion's Park Property Boundary

Parking:  
Required: 1/300 sq. ft. = 150  
Provided: 155 Spaces  
ADA: 6 (6 Required)  
Drop-off: 14 Spaces

- Existing Deciduous Trees (To Remain)
- Existing Coniferous Trees (To Remain)
- Proposed Deciduous Trees (Various)





# RESOLUTION 10402

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 28TH STREET SOUTH BETWEEN 8TH AVENUE SOUTH AND 10TH AVENUE SOUTH, 9TH AVENUE SOUTH AND 9TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 29TH STREET SOUTH, AND 10TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 28TH STREET SOUTH, LOCATED IN THE BLACK EAGLE FALLS ADDITION AND SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

\* \* \* \* \*

WHEREAS, the Plat of Black Eagle Falls Addition and Second Supplement to Pappin Heights Addition dedicated an eighty (80) foot wide rights-of-way for 28th Street South between 8th Avenue South and 10th Avenue South, an eighty (80) foot wide rights-of-way for 9th Avenue South between 27th Street South and 29th Street South and twenty (20) foot wide rights-of-way for 9th Alley South and 10th Alley South between 27th Street South and 29th Street South; and

WHEREAS, The City of Great Falls, owns the properties on both sides of said rights-of-ways and has submitted a petition to have said rights-of-way as stated above to be vacated; and

WHEREAS, Mont. Code Ann. § 7-3-4448 sets forth, in pertinent part: (1)...Before vacating any street or part thereof or narrowing any street, the commission shall first pass a resolution declaring its intention to do so; and

WHEREAS, it is determined retention of said rights-of-way serves no practical or functional traffic related purpose or for access by the public due to dedicated park land; and

WHEREAS, the right-of-way therein of any owner is not impaired by the requested vacation.

WHEREAS, at its regular meeting held on April 20, 2021, the City Commission of the City of Great Falls, Montana, passed and adopted Resolution 10401, titled:

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 28TH STREET SOUTH BETWEEN 8TH AVENUE SOUTH AND 10TH AVENUE SOUTH, 9TH AVENUE SOUTH AND 9TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 29TH STREET SOUTH, AND 10TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 28TH STREET SOUTH, LOCATED IN THE BLACK EAGLE FALLS ADDITION AND SECOND SUPPLEMENT TO PAPPIN HEIGHTS

ADDITION, IN ACCORDANCE WITH THE PROVISIONS OF MONT. CODE ANN. § 7-3-4448, AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW; and

WHEREAS, notice was provided pursuant to Mont. Code Ann. § 7-3-4448(2); and

WHEREAS, a public hearing was held by the City Commission of the City of Great Falls, Montana, on the 18th day of May, 2021, at 7:00 o'clock p.m. in the Commission Chambers of the Civic Center, 2 Park Drive South, Great Falls, Montana, where said Commission heard all persons relative to the proposed vacation of 28th Street South between 8th Avenue South and 10th Avenue South, 9th Avenue South and 9th Alley South between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street South located in the Black Eagle Falls Addition and Second Supplement to Pappin Heights Addition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that 28th Street South between 8th Avenue South and 10th Avenue South, 9th Avenue South and 9th Alley South between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street South located in the Black Eagle Falls Addition and Second Supplement to Pappin Heights Addition, is hereby vacated.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the Amended Plat of Lots 1-14, Block 47, Lots 1-10, Block 48, Lots 1-5, 9-10, Block 49, Black Eagle Falls Addition, Lot 8A, Block 49 of the Amended Plat of Lots 7 and 8, Block 49, Black Eagle Falls Addition, Lot 1, Block 2, and the Park Dedicated Lot, Second Supplement to Pappin Heights Addition including those portions of vacated rights-of-way, has been prepared which reflects the aggregation of the existing parcels in the park and the requested vacated rights-of-way into two parcels.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION 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 18th day of May, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

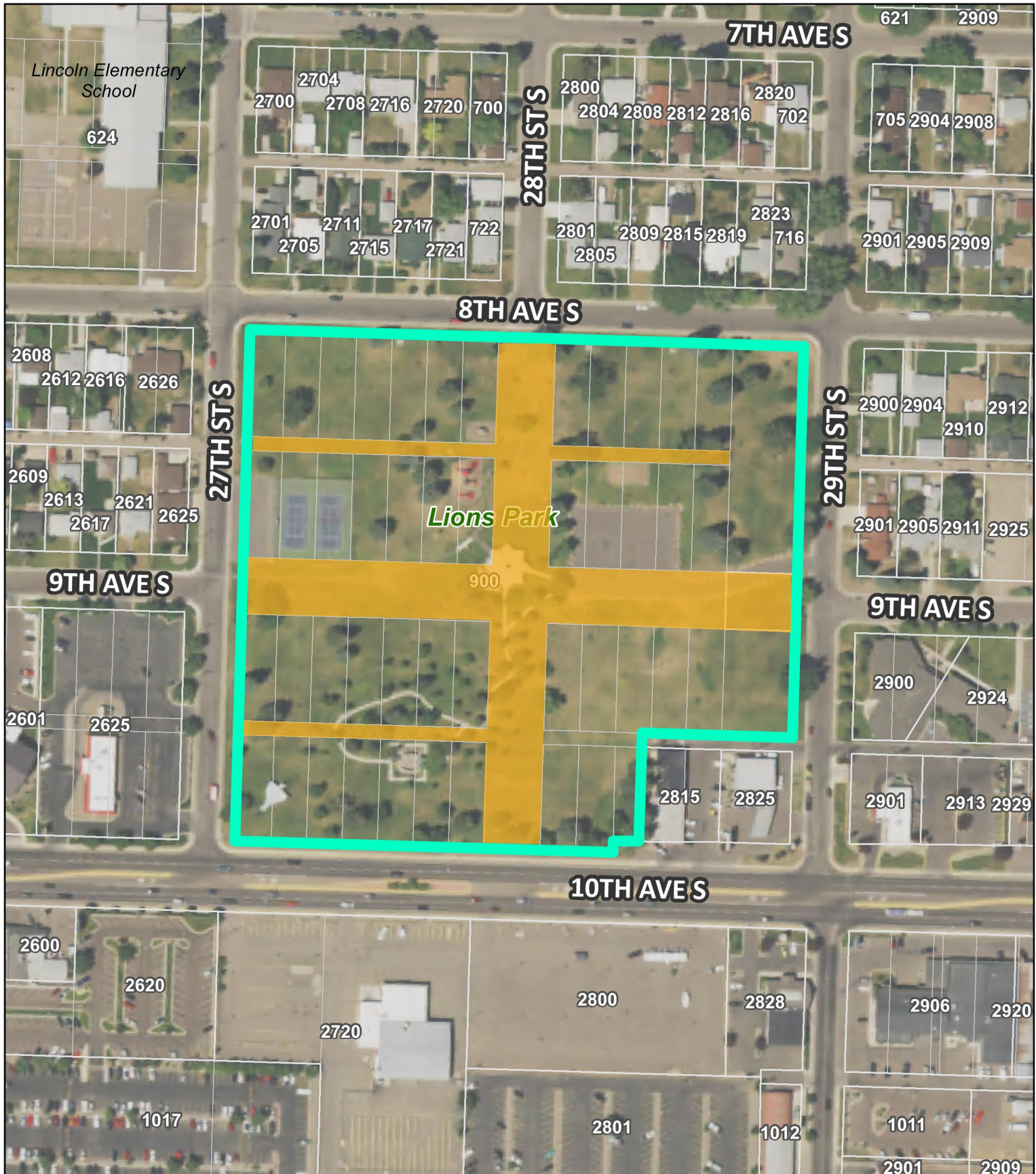
APPROVED FOR LEGAL CONTENT:

---

Sara Sexé, City Attorney

# Resolution 10402 - Exhibit

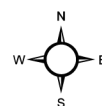
Agenda #12.



Subject Property - Lions Park



Rights-of-way to be vacated



Drawn By: Planning

0 115 230 460 Feet



The Park and Recreation Department is asking the City Commission of the City of Great Falls to vacate the following Streets and Alleys located in Lions Park:

1. 9<sup>th</sup> Avenue South between 27<sup>th</sup> Street South and 29<sup>th</sup> Street South
2. 28<sup>th</sup> Street South between 8<sup>th</sup> Avenue South and 10<sup>th</sup> Avenue South
3. 9<sup>th</sup> Alley South between 27<sup>th</sup> Street South and 29<sup>th</sup> Street South
4. 10<sup>th</sup> Alley South from 27<sup>th</sup> Street South easterly to the east edge of Lot 2 & 9, Block 49, Black Eagle Falls Addition

The procedure to vacate streets is outline in the Montana Code Annotated 7-3-4448 and requires a petition in writing from the Owners of the lots on the street or alley; and approve by a majority vote of the council. The undersigned represent 100% of the Owners that are making the request to vacate.

The Streets and Alleys are described as:

**9<sup>th</sup> Ave South:**

Including all of the City of Great Falls 9<sup>th</sup> Avenue South right-of-way located between the Easterly right-of-way boundary of 27<sup>th</sup> Street South and the Westerly right-of-way boundary of 29<sup>th</sup> Street South, being adjacent to Blocks 47-50 of the Black Eagle Falls Addition, Block 2 of the Second Supplement to Pappin Heights Addition, and the Park Dedication of the Second Supplement to Pappin Heights Addition, located in the SW1/4 of Section 8, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana.

**28<sup>th</sup> Street South:**

Including all of the City of Great Falls 28<sup>th</sup> Street South right-of-way located between the Southerly right-of-way boundary of 8<sup>th</sup> Avenue South and the Northerly right-of-way boundary of 10<sup>th</sup> Avenue South, being adjacent to Blocks 47-50 of the Black Eagle Falls Addition, located in the SW1/4 of Section 8, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana.

**9<sup>th</sup> Alley South:**

Including all of the City of Great Falls 9<sup>th</sup> Alley South right-of-way located between the Easterly right-of-way boundary of 27<sup>th</sup> Street South and the Westerly boundary line of the Park Dedication of the Second Supplement to Pappin Heights Addition, being in Blocks 47-48 of the Black Eagle Falls Addition, located in the SW1/4 of Section 8, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana.

**10<sup>th</sup> Alley South:**

Including all of the City of Great Falls 10<sup>th</sup> Alley South right-of-way located between the Easterly right-of-way boundary of 27<sup>th</sup> Street South and the Easterly boundary line of Lots 2 & 9, Block 49, of the Second Supplement to Pappin Heights Addition, being in Blocks 49-50 of the Black Eagle Falls Addition, located in the SW1/4 of Section 8, T20N, R4E, P.M.M., City of Great Falls, Cascade County, Montana.

We appreciate your consideration in this matter.

Steve Herrig, CPRP

**Director, Park and Recreation**

1700 River Dr. North

Great Falls, MT 59403

[\(406\) 771-1265](tel:(406)771-1265)

[sherrig@greatfallsmt.net](mailto:sherrig@greatfallsmt.net)

## FINDINGS OF FACT/BASIS OF DECISION MONTANA SUBDIVISION AND PLATTING ACT

Lots 1-14, Block 47, Lots 1-10, Block 48, Lots 1-5, 9-10, Block 49, and Lots 1-14, Block 50, Black Eagle Falls Addition, Lot 8A, Block 49 of the Amended Plat of Lots 7 and 8, Block 49, Black Eagle Falls Addition, Lot 1, Block 2, and the Park Dedicated Lot, Second Supplement to Pappin Heights Addition, including those portions of the streets and alleys to be vacated located in SW1/4 of Section 8, Township 20 North, Range 4 East, PMM, City of Great Falls, Cascade County, MT. (PREPARED IN RESPONSE TO 76-3-608(3) MCA)

### PRIMARY REVIEW CRITERIA:

**Effect on Agriculture and Agricultural Water User Facilities:** The non-administrative plat proposes to aggregate all lots remaining in Lions Park into two lots. Lot 1A is proposed to contain most of the park including the proposed Indoor Aquatic and Recreation Center. Lot 2A is being created for the possibility of a future lease lot that would need rezoned to accommodate a potential commercial use. The proposed parcels are surrounded by City streets and avenues to the north, east, and west, as well as 10th Ave S. Due to the area being built out except for the park, the proposed aggregation will not interfere with any agricultural irrigation system or present any interference with agricultural operations in the vicinity.

**Effect on Local Services:** The lots to be aggregated are a part of Lions Park, which was dedicated as a park in 1952. The park has several amenities including the memorial, tennis courts, swing sets and the pavilion. There are existing sewer mains running east and west through the park located in the platted alleys that are proposed to be vacated. There is also an existing water main that is located in the platted avenue running east and west that is also proposed to be vacated. One of the existing sewer mains will be tapped into to provide service for the proposed Indoor Aquatic and Recreation Center. A portion of the water main will be relocated to accommodate the proposed location of the building. All proposals for the alterations of the mains will be reviewed and approved through the Public Works Department.

The property proposed for this subdivision is also currently receiving law enforcement and fire protection service from the City of Great Falls, and the aggregation does not impact these current services. The design team has worked with the Fire Marshal on access to the proposed building during design development to ensure that protection services are adequate.

**Effect on the Natural Environment:** The proposed aggregation is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. The proposed development will be required to meet all DEQ and City standards regarding stormwater management.

**Effect on Wildlife and Wildlife Habitat:** The proposed aggregation is surrounded by existing development, with commercial buildings to the east, west and southeast, an elementary school to the northwest and residential homes to the west, east and north. This is not in an area of significant wildlife habitat beyond occasional migrating fowl. A significant portion of the existing park property will remain unchanged, even after subdivision and development of the proposed recreation center.

**Effect on Public Health and Safety:** Based on available information, the subdivision does not create any abnormal natural hazards nor potential man-made hazards. The aggregation itself will not have a negative effect on Public Health and Safety. As noted above, the parcels being created include the existing park and the proposed indoor aquatic and recreation center. Both of these facilities have or will have a positive public health impact.

#### **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 proposed plat will be reviewed by City Utilities Staff to determine any necessary utility easements needed to accommodate the existing water and sewer mains that run through the property.

#### **LEGAL AND PHYSICAL ACCESS**

Legal and physical access to the subject property is available on all four sides. The two parcels proposed for aggregation will both have frontage on public streets and can be accessed via a public alley that currently provides services to commercial businesses located at the intersection of 29<sup>th</sup> Street South and 10<sup>th</sup> Avenue South.

AN AMENDED PLAT OF  
LOTS 1-14, BLOCK 47, LOTS 1-10, BLOCK 48, LOTS 1-5, 9-10, BLOCK 49, AND LOTS 1-14, BLOCK 50, BLACK EAGLE FALLS ADDITION,  
LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION,  
LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION,  
INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402  
LOCATED IN SW1/4 OF SECTION 8, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA





AN AMENDED PLAT OF  
LOTS 1-14, BLOCK 47, LOTS 1-10, BLOCK 48, LOTS 1-5, 9-10, BLOCK 49, AND LOTS 1-14, BLOCK 50, BLACK EAGLE FALLS ADDITION,  
LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION,  
LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION,  
INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402  
LOCATED IN SW1/4 OF SECTION 8, T20N, R4E, P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

CERTIFICATE OF CONSENT

I(we), the undersigned property owner(s), do hereby certify that I(we) have caused to surveyed and platted into lots, blocks, and easements, the following described tract of land in the City of Great Falls, Cascade County, Montana, to-wit:

A tract of land being Lots 1–14, Block 47, Lots 1–10, Block 48, Lots 1–5, 9–10, Block 49, and Lots 1–14, Block 50, Black Eagle Falls Addition, Lot 8A, Block 49, of the Amended Plat of Lots 7 and 8, Block 49, Black Eagle Falls Addition, and Lot 1, Block 2, and the dedicated Park Lot, Second Supplement to Pappin Heights Addition, including those portions of the streets and alleys vacated by Ordinance/Resolution No. ????????????, located in the SW1/4 of Section 8, Township 20 North, Range 4 East, P.M.M., City of Great Falls, Cascade County, Montana, and being more particularly described as follows:

Beginning at the intersection of the Southerly right-of-way line of 8th Avenue South and the Easterly right-of-way line of 27th Street South; thence South 88°15'20" East along said Southerly right-of-way line, a distance of 780.34 feet to the intersection of the Westerly right-of-way line of 29th Street South; thence South 01°38'48" West along said Westerly right-of-way line, a distance of 551.10 feet to the intersection of the Northerly right-of-way line of 10th Alley South; thence North 88°16'11" West along said Northerly right-of-way line, a distance of 350.25 feet to the Easterly right-of-way line of 28th Street South, thence South 01°39'18" West along said Easterly right-of-way line, a distance of 20.00 feet to the Southerly right-of-way line of said 10th Alley South; thence South 88°16'11" East along said Southerly right-of-way line, a distance of 138.85 feet to the Northeast corner of Lot 8A, Block 49, of the Amended Plat of Lots 7 and 8, Block 49, Black Eagle Falls Addition; thence South 01°39'46" West along the Easterly boundary line of said Lot 8A, a distance of 132.44 feet to the Southeast corner of said Lot 8A and being a point on the Northerly right-of-way line of 10th Avenue South; thence North 89°22'52" West along said Northerly right-of-way line, a distance of 569.21 feet to the intersection of the Easterly right-of-way line of 27th Street South; thence North 01°34'23" East along said Easterly right-of-way line, a distance of 354.29 feet; thence North 01°45'15" East along said Easterly right-of-way line, a distance of 360.48 feet to the Point of Beginning and containing 11.879 acres, along with and subject to any existing easements.

The above described tract of land is to be known and designated as AN AMENDED PLAT OF LOTS 1–14, BLOCK 47, LOTS 1–10, BLOCK 48, LOTS 1–5, 9–10, BLOCK 49, AND LOTS 1–14, BLOCK 50, BLACK EAGLE FALLS ADDITION, LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402, to the City of Great Falls, Cascade County, Montana, and the public easements shown on said plat are hereby granted and donated to the use of the public forever.

Acceptance of shown new City of Great Falls easements:

A perpetual easement benefiting the City of Great Falls for the construction, maintenance, enlarging, reducing, replacing, or removal of underground utilities including above ground fire hydrants, valve boxes, and lids for accessing underground utilities, together with all necessary appurtenances thereto, in, under, through and across the real property shown on this plat together with right to excavate and refill ditches and/or trenches throughout the location of said general utilities. The City of Great Falls or its designee agrees that in the event of any excavation within said easement for purpose of maintenance or repair, the area shall be backfilled and/or restore the surface to its then existing condition. For the protection of said easement, the property owner shall not make or construct any buildings, retaining walls, trees, shrubs, bushes, or other structures that would impair the maintenance or operation of the utilities placed therein. Asphalt and Portland cement concrete paving, grass, traffic signs, mail boxes, fences, irrigation sprinkler systems are permissible improvements within the land covered by this easement. This grant of easement shall run with the land and shall be binding upon and shall inure to the benefit of the City of Great Falls, Montana its successors and assigns.

To the fullest extent permitted by law, the property owner shall 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 property owner's use of the real property described herein, except for the City's actions under this grant of easement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2021

CITY OF GREAT FALLS

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

State of Montana )  
; ss  
County of Cascade)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned, a Notary Public for the State of Montana, personally appeared, \_\_\_\_\_, known to me to be the person who executed the Certificate of Ownership. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

(Notarial Seal)

CERTIFICATE OF EXCLUSION

I, the undersigned property owner, do hereby certify that this accompanying plat is excluded from subdivision review, pursuant to ARM 17.36.605(3), stating "Aggregations of parcels are not subdivisions subject to review, except that an aggregation is subject to review under 76–4–130, MCA, if any parcel included in the aggregation has a previous approval issued under Title 76, chapter 4, Part 1, MCA".

CERTIFICATE OF EXEMPTION

I, the undersigned property owner, do hereby certify that this accompanying plat is exempt from subdivision review, pursuant to Section 76–3–207(1)(f) M.C.A., stating the following aggregations of tracts are not subdivisions; "aggregation of parcels or lots when a certificate of survey or subdivision plat shows that the boundaries of the original parcels have been eliminated and the boundaries of a larger aggregate parcel are established. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas".

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 plat of the AN AMENDED PLAT OF LOTS 1–14, BLOCK 47, LOTS 1–10, BLOCK 48, LOTS 1–5, 9–10, BLOCK 49, AND LOTS 1–14, BLOCK 50, BLACK EAGLE FALLS ADDITION, LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402, and the survey it represents, find that same conforms to regulations governing the platting of lands and presently platted adjacent land, as near as circumstances will permit, do hereby approve the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
PAUL SKUBINNA, Public Works Director  
City of Great Falls, Montana

CERTIFICATE OF CITY COMMISSION

I, Gregory T. Doyon, City Manager of the City of Great Falls, Montana, do hereby certify that the accompanying plat of the AN AMENDED PLAT OF LOTS 1–14, BLOCK 47, LOTS 1–10, BLOCK 48, LOTS 1–5, 9–10, BLOCK 49, AND LOTS 1–14, BLOCK 50, BLACK EAGLE FALLS ADDITION, LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402, was duly examined and approved by the City Commission of the City of Great Falls, Montana, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
GREGORY T. DOYON, City Manager  
City of Great Falls, Montana

CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned, Peter Fontana, President of the Great Falls Planning Board, City of Great Falls, Montana, and Craig Raymond, Secretary of said Great Falls Planning Board, do hereby certify that the accompanying plat of AN AMENDED PLAT OF LOTS 1–14, BLOCK 47, LOTS 1–10, BLOCK 48, LOTS 1–5, 9–10, BLOCK 49, AND LOTS 1–14, BLOCK 50, BLACK EAGLE FALLS ADDITION, LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402, has been submitted to the said Great Falls Planning Board, for examination by them and was approved at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Peter Fontana, President  
Great Falls Planning Board

\_\_\_\_\_  
Craig Raymond, Secretary  
Great Falls Planning Board

LANDOWNER: CITY OF GREAT FALLS

BASIS OF BEARING:  
GRID NORTH, MONTANA STATE PLANE COORDINATE SYSTEM

PURPOSE OF SURVEY:  
1. TO AGGREGATE 48 LOTS WITHIN THE BLACK EAGLE FALLS ADDITION, THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, AND THE SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE VACATED STREETS AND ALLEYS, INTO 2 NEW AMENDED LOTS.  
2. TO CREATE NEW CITY OF GREAT FALLS UTILITY EASEMENTS

EASEMENT NOTES:

- EASEMENTS OF RECORD MAY EXIST THAT ARE NOT SHOWN ON THIS AMENDED PLAT.
- ONLY EXISTING EASEMENTS SHOWN ON THIS PLAT ARE THE VACATED STREET AND/OR ALLEY LOCATIONS. CURRENT EASEMENT RIGHTS MAY DEPEND UPON EXISTING UTILITIES IN PLACE AND UTILITY OWNERSHIP.
- WITH THE FILING OF THIS AMENDED PLAT, SEVERAL NEW EASEMENTS TO THE CITY OF GREAT FALLS WILL BE CREATED AND ACCEPTED.
- WITH THE FILING OF THIS AMENDED PLAT, THE CITY OF GREAT FALLS IS APPROVING AND GIVING UP EASEMENT RIGHTS TO THE FOLLOWING VACATED STREETS LOCATIONS:
  - XXXXXXX, BETWEEN XXXXXXX AND XXXXXX
  - XXXXXXX, BETWEEN XXXXXXX AND XXXXXX

CERTIFICATE OF SURVEYOR

I, the undersigned, Daniel R. Kenczka, Professional Land Surveyor, Montana Registration No. 15625LS, do hereby certify that I supervised this Plat of the AN AMENDED PLAT OF LOTS 1–14, BLOCK 47, LOTS 1–10, BLOCK 48, LOTS 1–5, 9–10, BLOCK 49, AND LOTS 1–14, BLOCK 50, BLACK EAGLE FALLS ADDITION, LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402, and platted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76–3–101 through 76–3–614, M.C.A., and Cascade County.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2021

\_\_\_\_\_  
Daniel R. Kenczka, Montana Reg. No. 15625LS

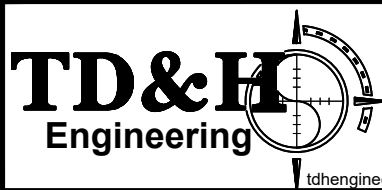


CERTIFICATE OF COUNTY TREASURER

I, Diane C. Heikkila, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included in the accompanying plat of the AN AMENDED PLAT OF LOTS 1–14, BLOCK 47, LOTS 1–10, BLOCK 48, LOTS 1–5, 9–10, BLOCK 49, AND LOTS 1–14, BLOCK 50, BLACK EAGLE FALLS ADDITION, LOT 8A, BLOCK 49, OF THE AMENDED PLAT OF LOTS 7 AND 8, BLOCK 49, BLACK EAGLE FALLS ADDITION, LOT 1, BLOCK 2, AND THE PARK DEDICATED LOT, SECOND SUPPLEMENT TO PAPPIN HEIGHTS ADDITION, INCLUDING THOSE PORTIONS OF THE STREETS AND ALLEYS VACATED BY RESOLUTION NO. 10402, and find that the current taxes are not delinquent.

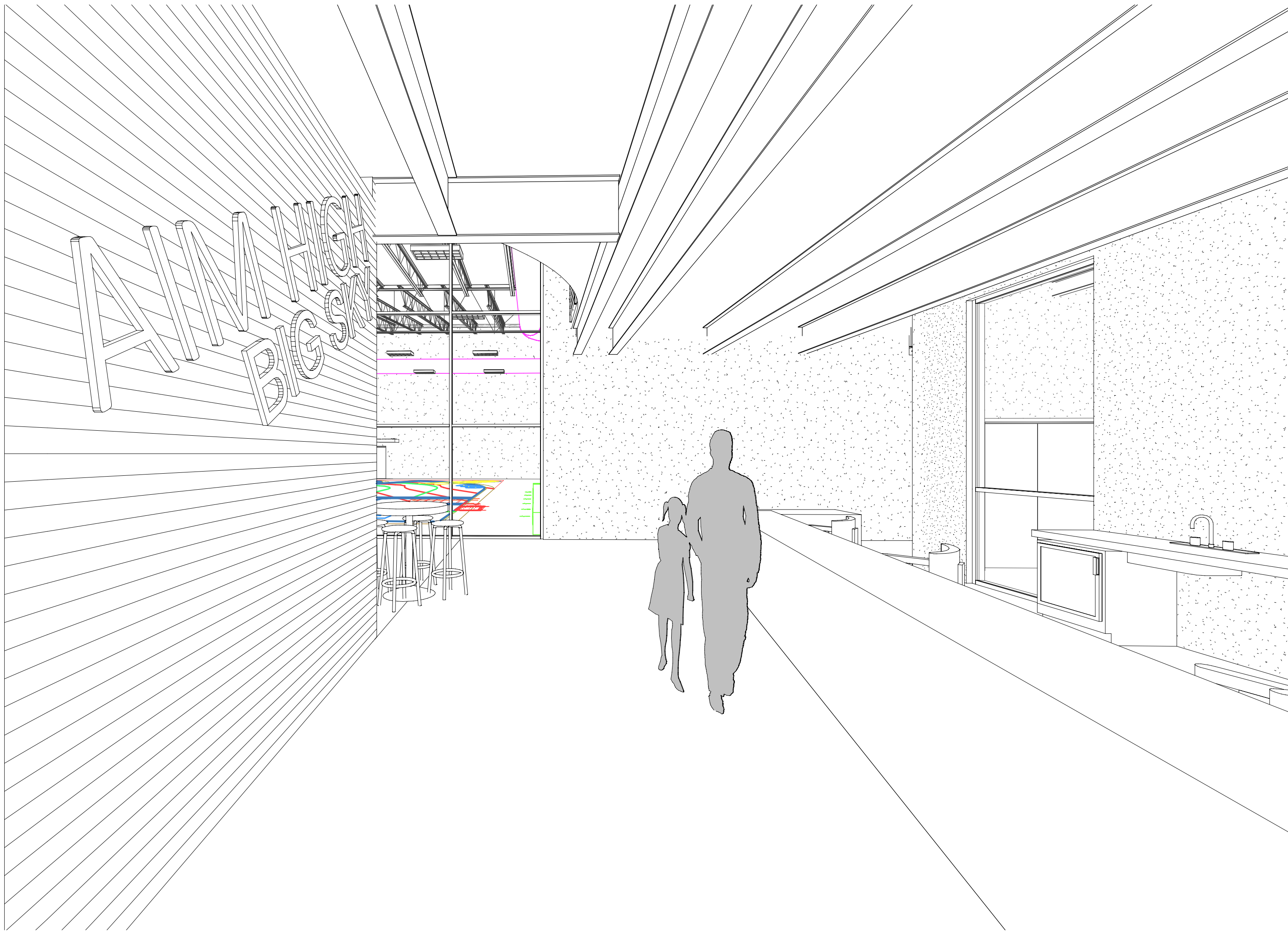
Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2021

\_\_\_\_\_  
County Treasurer, Cascade County, Montana

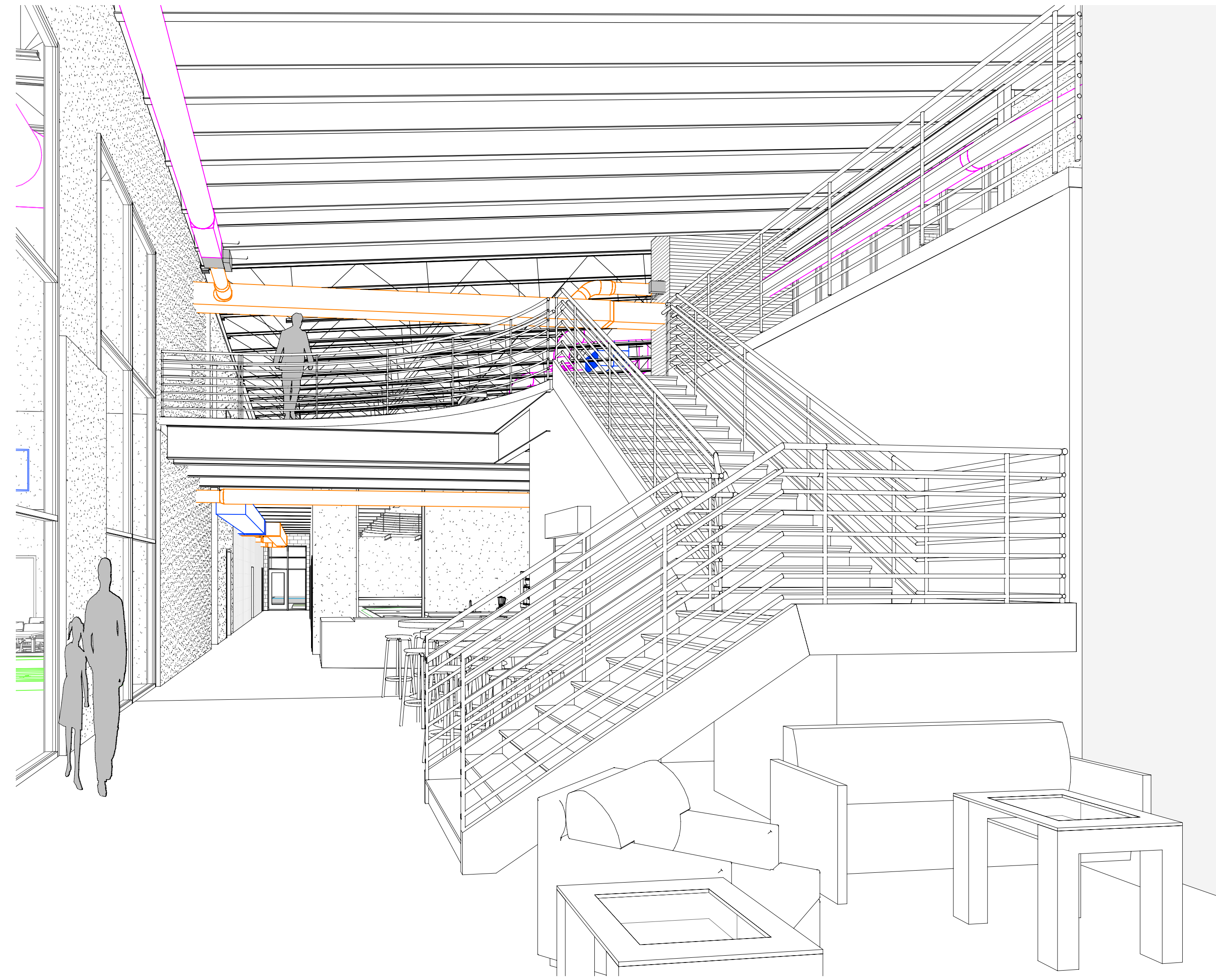


DRAWN BY: DRK	DATE: 5-5-21	QUALITY CHECK: X
SURVEYED BY: KfV	JOB NO. 20-091	FIELDBOOK X
GREAT FALLS-BOZEMAN-KALISPELL-SHELBY SPOKANE LEWISTON WATFORD CITY		
MONTANA WASHINGTON IDAHO NORTH DAKOTA		





1 ENTRY DOOR VIEW



3 VIEW FROM SOUTH END OF CORRIDOR

Room & Occupancy Schedule					
Room Name	Room Number	Area	Level	Occupant Load Factor	Occupancy
STORAGE	236	Not Placed	Not Placed	300	
STORAGE	269	Not Placed	Not Placed		
STORAGE	272	Not Placed	Not Placed		
Room	273	Not Placed	Not Placed		
TRACK	274	Not Placed	Not Placed		
RECEPTION	276	Not Placed	Not Placed		
Not Placed: 6		0 SF			0
CLASS/PARTY RM	185	625 SF	LEVEL 1	20	32
GYM	186	8026 SF	LEVEL 1	50	161
POOL EQUIP 1	189	1097 SF	LEVEL 1	300	4
REC SUPERVISOR	192	119 SF	LEVEL 1	150	1
SPORT SUPERVISOR	193	118 SF	LEVEL 1	150	1
AQUATICS	194	119 SF	LEVEL 1	150	1
REC POOL	199	5961 SF	LEVEL 1	0	
LAUNDRY/STORAGE	200	152 SF	LEVEL 1	150	2
BOILER RM	202	423 SF	LEVEL 1	300	2
STORAGE	216	360 SF	LEVEL 1	300	2
ELEC	218	155 SF	LEVEL 1	300	
CHILD WATCH	221	454 SF	LEVEL 1	35	13
MANAGER	231	130 SF	LEVEL 1	150	1
STORAGE	237	20 SF	LEVEL 1	300	1
GUARD OFFICE	238	110 SF	LEVEL 1	150	1
STORAGE	239	88 SF	LEVEL 1	300	1
RECEPTION	250	225 SF	LEVEL 1	0	
MULTIPURPOSE RM (24)	254	1432 SF	LEVEL 1	50	29
LAP POOL	255	8376 SF	LEVEL 1	0	
VEST	256	87 SF	LEVEL 1	0	
RR	257	52 SF	LEVEL 1	0	
WOMENS LOCKER RM	263	803 SF	LEVEL 1	50	17
MENS LOCKER RM	264	666 SF	LEVEL 1	50	14
JAN	265	72 SF	LEVEL 1	300	1
CIRC	266	362 SF	LEVEL 1	0	
SAUNA	267	126 SF	LEVEL 1	50	3
CONCESSIONS	268	149 SF	LEVEL 1		
STORAGE	270	100 SF	LEVEL 1		
STORAGE	271	41 SF	LEVEL 1		
STORAGE SHED	275	366 SF	LEVEL 1		
LEVEL 1: 30		30816 SF			288
FITNESS AREA	171	7590 SF	LEVEL 2	50	152
MECHANICAL	227	1684 SF	LEVEL 2	300	6
STOR	246	55 SF	LEVEL 2	300	1
RR	252	48 SF	LEVEL 2	0	
RR	253	50 SF	LEVEL 2	0	
MAINT	277	34 SF	LEVEL 2		
LEVEL 2: 6		9460 SF			159
Grand total: 42		40275 SF			447

Area Schedule (Gross Building)		
Level	Area	Comments
LEVEL 1	35213 SF	
LEVEL 2	10068 SF	
Grand total: 2	45280 SF	



1 HR FIRE BARRIER

5 CODE LEGEND  
3/8" = 1'-0"

PRELIMINARY  
NOT FOR  
CONSTRUCTION

Indoor Aquatic and Recreation Facility  
Great Falls, Montana

ORIENTATION PLANS - LEVEL 1

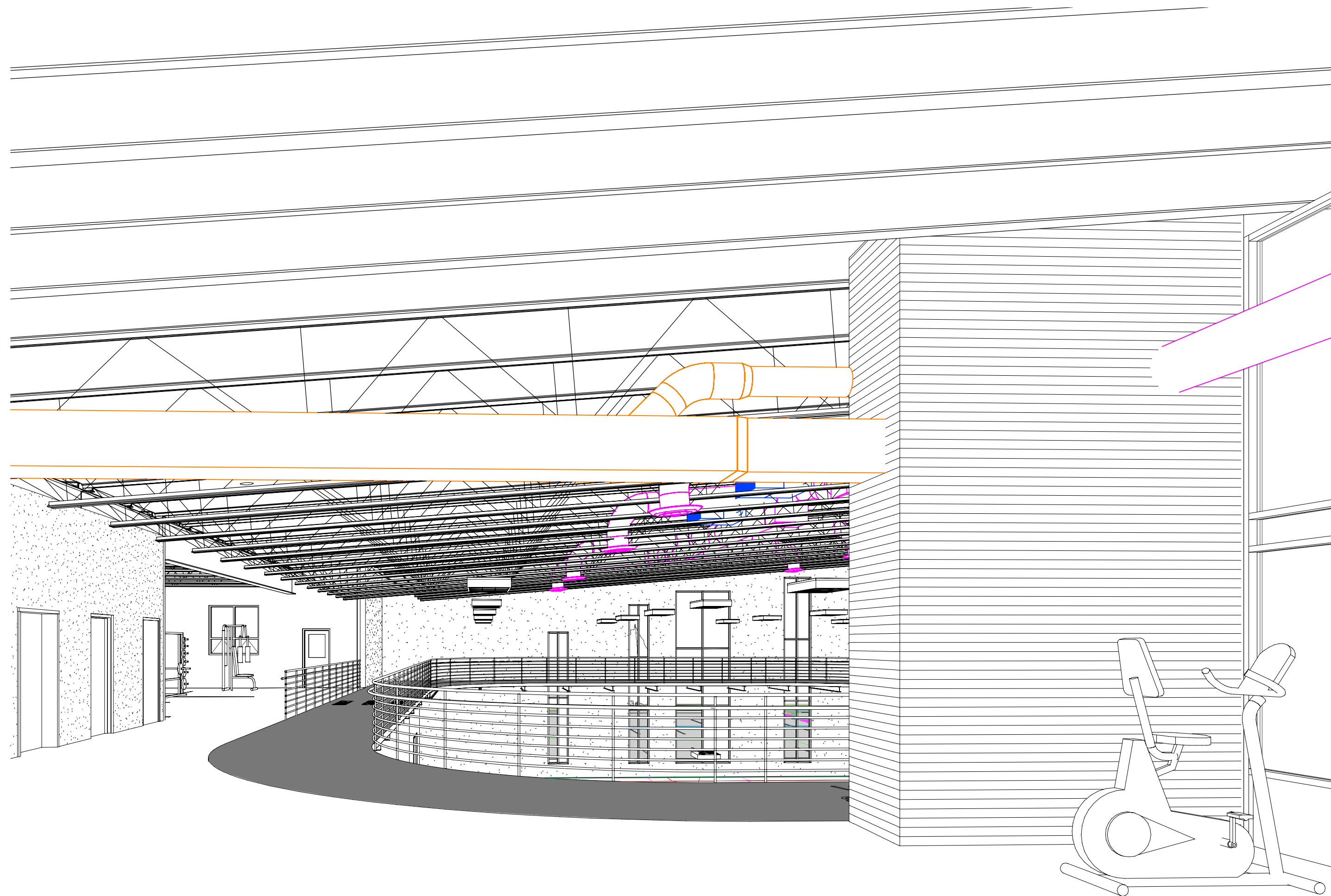
Revision Schedule		
No.	Revision	Date

Submittal		
No.	Submittal	Date

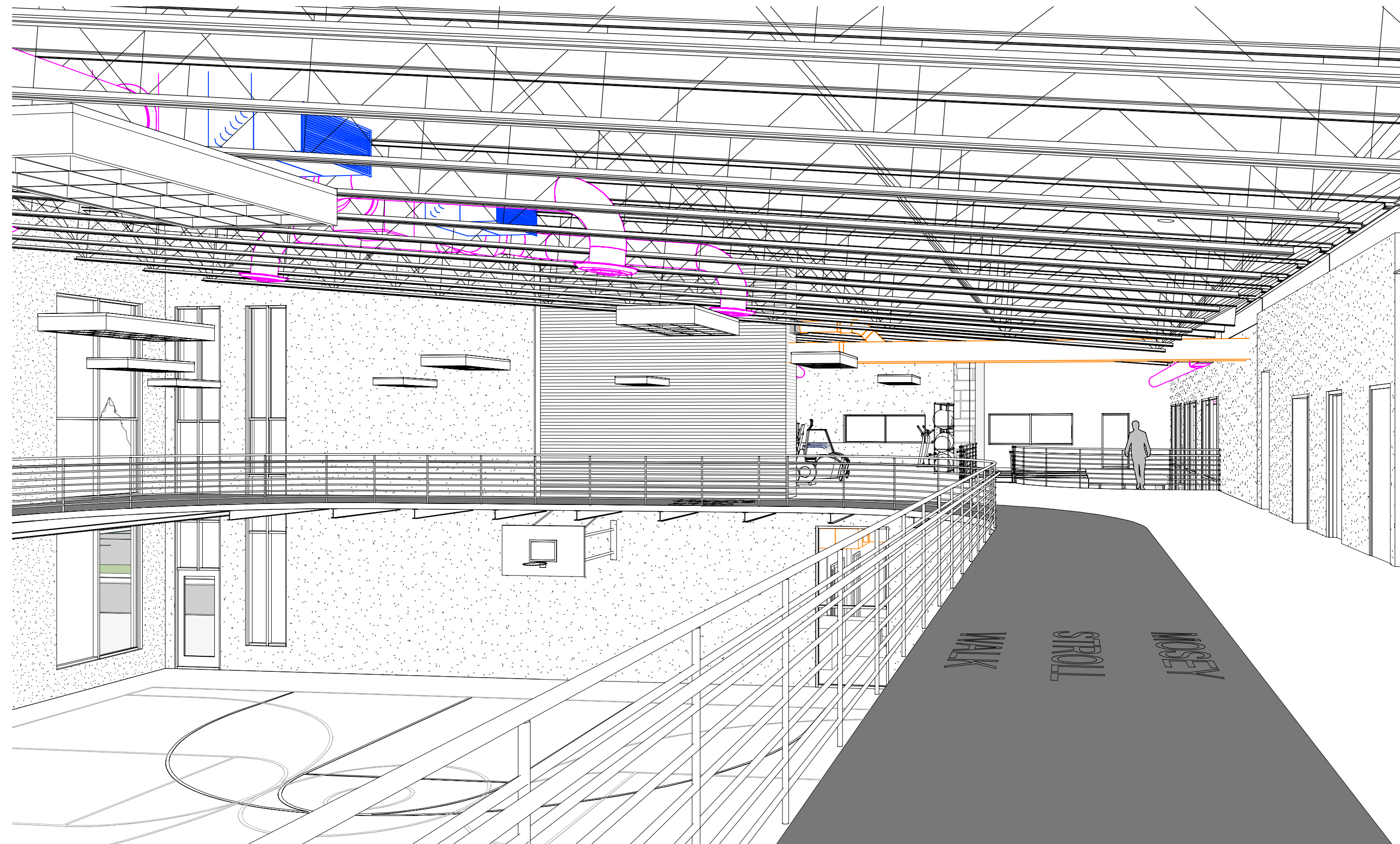
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DESIGN BY:	DMG
CHECKED BY:	Checker
DATE:	03/19/21
PROJECT NUMBER:	20-019
SHEET NUMBER:	AO.1





2 VIEW AT TOP OF STAIRS



3 VIEW FROM TRACK

Room & Occupancy Schedule					
Room Name	Room Number	Area	Level	Occupant Load Factor	Occupancy
STORAGE	236	Not Placed	Not Placed	300	
STORAGE	269	Not Placed	Not Placed		
STORAGE	272	Not Placed	Not Placed		
Room	273	Not Placed	Not Placed		
TRACK	274	Not Placed	Not Placed		
RECEPTION	276	Not Placed	Not Placed		
Not Placed: 6	0 SF				0
CLASS/PARTY RM	185	625 SF	LEVEL 1	20	32
GYM	186	8026 SF	LEVEL 1	50	161
POOL EQUIP 1	189	1097 SF	LEVEL 1	300	4
REC SUPERVISOR	192	119 SF	LEVEL 1	150	1
SPORT SUPERVISOR	193	118 SF	LEVEL 1	150	1
AQUATICS	194	119 SF	LEVEL 1	150	1
REC POOL	199	5961 SF	LEVEL 1	0	
LAUNDRY/STORAGE	200	152 SF	LEVEL 1	150	2
BOILER RM	202	423 SF	LEVEL 1	300	2
STORAGE	216	360 SF	LEVEL 1	300	2
ELEC	218	155 SF	LEVEL 1	300	1
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MANAGER	231	130 SF	LEVEL 1	150	1
STORAGE	237	20 SF	LEVEL 1	300	1
GUARD OFFICE	238	110 SF	LEVEL 1	150	1
STORAGE	239	88 SF	LEVEL 1	300	1
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LAP POOL	255	8376 SF	LEVEL 1	0	
VEST	256	87 SF	LEVEL 1	0	
RR	257	52 SF	LEVEL 1	0	
WOMENS LOCKER RM	263	803 SF	LEVEL 1	50	17
MENS LOCKER RM	264	666 SF	LEVEL 1	50	14
JAN	265	72 SF	LEVEL 1	300	1
CIRC	266	362 SF	LEVEL 1	0	
SAUNA	267	126 SF	LEVEL 1	50	
CONCESSIONS	268	149 SF	LEVEL 1		
STORAGE	270	100 SF	LEVEL 1		
STORAGE	271	41 SF	LEVEL 1		
STORAGE SHED	275	366 SF	LEVEL 1		
LEVEL 1: 30		30815 SF			288
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MECHANICAL	227	1684 SF	LEVEL 2	300	6
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RR	252	48 SF	LEVEL 2	0	
RR	253	50 SF	LEVEL 2	0	
MAINT	277	34 SF	LEVEL 2		
LEVEL 2: 6		9460 SF			159
Grand total: 42		40275 SF			447

Area Schedule (Gross Building)		
Level	Area	Comments
LEVEL 1	35213 SF	
LEVEL 2	10068 SF	
Grand total: 2	45280 SF	



1 CODE PLAN - LEVEL 2  
1/16" = 1'-0"











## Traffic Analysis - Community Recreation/Aquatics Center

**Background/Project Description/Location:** A 44,348 square foot Community Recreation Center has been proposed by the City of Great Falls Park & Recreation Department along the east side of Lions Park, adjacent to 29<sup>th</sup> Street South between 8<sup>th</sup> Avenue South and 10<sup>th</sup> Avenue South. A Conditional Use is required to construct this facility at this location.

**Existing Facilities:** Lions Park is a regional park occupying four square blocks with the exception of two lots on the southeast corner. Lions Park is a typical developed urban park, with trees and landscaping, open space, play equipment, a memorial, a vintage airplane display, a picnic pavilion, restrooms, two tennis courts, parking lots and trails.

**Streets:** The street network surrounding Lions Park is fully built to urban standards, including pavement, curb/gutter, sidewalk and traffic control. On three sides (north, east and west) the streets are Local roadways that carry low volumes of traffic. On the south, 10<sup>th</sup> Avenue South is a Principal Arterial, carrying high volumes of traffic through the community and designated as part of the National Highway System.

One short alley segment (10<sup>th</sup> Alley South) exists behind the two private (commercial) uses in the southeast corner.

**Parking:** On-street parking is available adjacent to the Park on three sides: a two-block stretch along 8<sup>th</sup> Avenue South, a two-block stretch along 27<sup>th</sup> Street South, and a 1½ block stretch along 29<sup>th</sup> Street South. No parking is allowed on the south side of Lions Park along 10<sup>th</sup> Avenue South.

A small parking lot exists next to the tennis courts along 27<sup>th</sup> Street South, and a larger lot serving the Park exists on the east, accessed from 29<sup>th</sup> Street South near the T-intersection with 9<sup>th</sup> Avenue South.

**Sidewalks and Trails:** Typical 5-foot sidewalks surround Lions Park and extend into the surrounding neighborhoods.

Accessible ramps are lacking on most corners, except for 10<sup>th</sup> Avenue South. Striped and signed pedestrian crossings exist at the northwest corner of the Park at the intersection of 27<sup>th</sup> Street South and 8<sup>th</sup> Avenue South to facilitate safe movements to Lincoln Elementary School at that location, which is approximately two blocks away from the proposed site of the Center.

The Public Works Department recently performed a speed study and traffic analysis of conditions at the intersection of 29<sup>th</sup> Street South and 8<sup>th</sup> Avenue South. The recommendations from the study included installing speed limit signs, but no other needs were identified. A summary of the study is attached.

A trail winds through the Park, connecting to the picnic pavilion from the west, the north, and the parking lot on the east.

**Existing Traffic Volumes:** Average Daily Traffic counts have been collected on area streets as shown in Table 1.

**TABLE 1**

STREET SEGMENT	DAILY VOLUME (DATE)	PM PEAK HOUR VOLUME
8 <sup>th</sup> Ave S (between 27 <sup>th</sup> & 28 <sup>th</sup> Sts)	966 (2021)	120 (2021)
29 <sup>th</sup> St S (between 8 <sup>th</sup> & 9 <sup>th</sup> Aves S)	782 (2021)	90 (2021)
10 <sup>th</sup> Ave S (between 27 <sup>th</sup> & 29 <sup>th</sup> Streets S)	30,509 (2019)	n/a

**Proposed site access:**

1. Driveways: Three approaches to the Center's parking lots are proposed – two on 29<sup>th</sup> Street South and one access via an improved and slightly widened 10<sup>th</sup> Alley South that also connects to 29<sup>th</sup> Street South.
2. 10<sup>th</sup> Alley South: The alley would be improved and widened and would continue to provide access to the two commercial lots to the south.
3. Pedestrian access would be from existing sidewalks and an existing trail through Lions Park from the west and north.

**Daily Trip Generation:**

Two different methods were utilized to estimate vehicular trips generated by the proposed Center, and the highest was used to estimate the maximum estimated potential impact upon the street network. The likely scenario is that the actual trips would be somewhere in between the two, or even less assuming the pedestrian connections to the neighborhood would attract non-vehicular trips. However, using the highest figures will ensure that the impact of higher-traffic special events is reviewed.

**Consultant-generated estimates:** The project consultant, PROS Consulting, estimated daily visitation to be between 300 and 500 visits. Converting this to trips, and assuming a highest-impact scenario of each visit being via a single-occupancy vehicle, this amounts to a high-side estimate of 1,000 daily trip ends (coming and going). Assuming adding an additional 10% of the trips covers such additional trips made by employees and deliveries, the total daily trips can be estimated as 1,100 daily trips generated by the site using this method.

This compares closely to the trip calculation that can be estimated using industry case studies, calculated below.

**Trip Generation Manual estimates:** The *Trip Generation Manual* 9<sup>th</sup> Edition, Institute of Traffic Engineers (ITE), defines a "Recreational Community Center" as:

“Recreational community centers are stand-alone public facilities similar to and including YMCAs. These facilities often include classes and clubs for adults and children; a day care or nursery school; meeting rooms; swimming pools and whirlpools; saunas; tennis, racquetball, handball, basketball and volleyball courts; outdoor athletic fields/courts; exercise classes; weightlifting and gymnastics equipment; locker rooms; and a restaurant or snack bar. Public access is typically allowed, but a fee may be charged.”

Using an average trip generation from the ITE Manual, based upon actual studies, the following is the methodology for providing an estimate for trips generated by the site.

Average Vehicle Trip Ends on a Weekday (Daily Trip Generation), per 1000 Sq. Ft. Gross Floor Area:

$$44.348 (1000 \text{ sf}) \times 33.82 (\text{average daily trip ends}) = \underline{1,500 \text{ average daily trip ends}}$$

**Peak Hour Traffic:**

**Consultant-generated estimates:** The project consultant, PROS Consulting, estimated peak hour visitation to be variable, but that evening traffic (3 PM – 8 PM) would account for 50% of the daily trips. From this guidance, an average hourly trips over this 5-hour period would be:

$$550 \text{ trips}/5 = \underline{110 \text{ average PM peak hour trip ends (evening)}}$$

**Trip Generation Manual estimates:** The ITE *Trip Generation Manual* 9<sup>th</sup> Edition, provides the following calculation methodology:

Average Vehicle Trip Ends on a Weekday PM Peak Hour of Adjacent Street Traffic, per 1000 Sq. Feet Gross Floor Area:

$$44.348 (1000 \text{ sf}) \times 2.74 (\text{average PM peak hour} - 4 \text{ to } 6 \text{ PM} - \text{of adjacent street traffic trip ends}) = \underline{122 \text{ average PM peak hour trip ends (evening)}}$$

**Trip Distribution:** All of the vehicular trips generated by the site would use the various driveways onto 29<sup>th</sup> Street South, or would park on-street and use the various sidewalks and trails to reach the Center. Additional pedestrian and bicycle usages is expected, but no estimations of numbers are available.

Traffic coming to and leaving the site would likely be dispersed – some using 9<sup>th</sup> Avenue South to access 32<sup>nd</sup> Street South – a Collector street with a signal to allow safe access to 10<sup>th</sup> Avenue South. Other drivers would use the local street network to the north – 8<sup>th</sup> Avenue North going east or west, and 29<sup>th</sup> Street South further north. It is likely the majority of trips would use the intersection of 29<sup>th</sup> and 10<sup>th</sup> Avenue South, as that is the most direct connection to a Major Arterial that would serve as the most efficient access to the site from throughout the community.



March 16, 2021

For the purpose of estimating increase in traffic among the various roadway segments, the following percentages have been used, with growth numbers shown:

1. 29<sup>th</sup> Street South, north of 9<sup>th</sup> Avenue South: 25% of trips = 375 daily trips (31 PM peak)
2. 29<sup>th</sup> Street South, south of 9<sup>th</sup> Avenue South: 45% of trips = 675 daily trips (55 PM peak)
3. 9<sup>th</sup> Avenue South, east of 29<sup>th</sup> Street South: 30% of trips = 450 daily trips (38 PM peak)

To estimate the number of new trips beyond the intersection of 29<sup>th</sup> Street South and 8<sup>th</sup> Avenue South, the estimated number of new trips on 29<sup>th</sup> Street South north of 9<sup>th</sup> Avenue South is further divided into the following:

4. 8<sup>th</sup> Avenue South, east of 29<sup>th</sup> Street South: 40% = 150 daily trips (13 PM peak)
5. 8<sup>th</sup> Avenue South, west of 29<sup>th</sup> Street South: 50% = 188 daily trips (16 PM peak)
6. 29<sup>th</sup> Street South, north of 29<sup>th</sup> Street South: 10% = 38 daily trips (3 PM peak)

Actual trip dispersion is difficult to predict, and it would likely take some time for patrons to fall into a consistent pattern as drivers become accustomed to settling into preferred routes to find their way to and from the center. To ensure the site would have the least negative impact upon the neighborhood, the City of Great Falls Public Works Department has offered to collect traffic volumes after development - if the CUP is approved - to see if any concerning trends surface that may require additional traffic control.

**Projected Growth:** Using the projected trips and trip distribution percentages, the potential change in traffic is shown in Table 2 below. Note that all numbers are vehicle trips per day or vehicle trips per hour.

**TABLE 2**

STREET SEGMENT	DAILY VOLUME (DATE)	PROJECTED GROWTH	PROJECTED DAILY VOLUME	PEAK HOUR VOLUME	PROJECTED GROWTH	PROJECTED PEAK HR VOLUME
8 <sup>th</sup> Ave S (between 27 <sup>th</sup> & 28 <sup>th</sup> Streets S)	966 (2021)	188	1,154	120	16	136
29 <sup>th</sup> St S (between 8 <sup>th</sup> & 9 <sup>th</sup> Aves S)	782 (2021)	375	1,157	143	27	170
10 <sup>th</sup> Ave S (between 27 <sup>th</sup> & 29 <sup>th</sup> Streets S)	30,509 (2019)	600*	31,109*	n/a	n/a	n/a
9 <sup>th</sup> Ave S (east of 29 <sup>th</sup> St S)	n/a	450	n/a	N/A	38	n/a

*\*assumes maximum potential growth (if all new southbound vehicles turned or came from west)*

Based upon the projected increases, 29<sup>th</sup> Street South and 8<sup>th</sup> Avenue South around Lions Park could carry around 1,500 vehicles per day with 8<sup>th</sup> Avenue South traffic possibly increasing by around 20%. However, this increase is expected to be only 16 additional vehicles at peak hour. Traffic on 29<sup>th</sup> Street South, just south of 8<sup>th</sup> Avenue North, would increase by 48%, with a PM peak-hour increase of 27, or one every two minutes, on average. Traffic increases are expected to be noticeable, but no congestion or capacity problems would be expected, as the total numbers are average for a local roadway. The increase in traffic on 10<sup>th</sup> Avenue South would be negligible.

**Pedestrian and Bicycle Facilities:** Public sidewalks surround Lions Park and extend into the surrounding neighborhood. On-site sidewalks are proposed, and should be closely and carefully reviewed for connectivity to the main sidewalks as well as existing Lions Park trails.

No specific bicycle route improvements are required, but placement of bike racks or secure bicycle storage on-site is encouraged to attract non-motorized trips and, therefore, reduce vehicular trips.

**Recommendations/Conclusions:** The existing street network has sufficient capacity to accommodate the traffic that would be generated by the proposed development. This analysis of current and future traffic can be summarized into the following **main findings**:

- Local streets have adequate capacity to accommodate the projected future traffic. Even though the increase in traffic volumes would be small, the immediate neighbors would likely notice the increase. Intersection traffic controls should be considered, if warranted.
- Pedestrian access is ideal, connecting the proposed site with the community in all directions. However, intersections in the immediate vicinity of the Center do not have ADA ramps at the sidewalk corners, and should be improved.
- Safety and congestion at 29<sup>th</sup> Street South and 10<sup>th</sup> Avenue South is dependent upon driver behavior, as sufficient alternative routes exist.

A few other **observations** are worth noting:

1. Traffic volumes to and from the south along 29<sup>th</sup> Street South are expected to be manageable. There is a possibility that access into the 29<sup>th</sup> Street South driveway into the Glass Doctor business on the northwest corner of 29<sup>th</sup> Street South and 10<sup>th</sup> Avenue South could be reduced at peak times, but the business has alternate access off both the alley and 10<sup>th</sup> Avenue South so would still have access to their business.
2. 9<sup>th</sup> Avenue South would see increased traffic, and there could be a need for traffic control at intersections leading to 32<sup>nd</sup> Street South.
3. The functionality and safety of the intersection of 29<sup>th</sup> Street South would depend upon the route choices of drivers, and would vary greatly depending upon the amount of traffic on 10<sup>th</sup> Avenue South and availability of gaps. The proposed location of the Center has enough alternate routes that drivers would be able to avoid this intersection at peak hour times.

Based upon the review of current conditions and future projected volumes, the following **recommendations** are provided:

1. Provision of bicycle parking and/or secure bicycle storage is recommended to reduce the number of vehicular trips. Such facilities would be installed in compliance with Title 17, Chapter 36 of City Code.
2. Full connections between the site and the trails in Lions Park should be made and designed for direct and safe pedestrian and bicycle travel. This is especially important since the existing parking lot for Park users would be replaced by parking adjacent to the Center. The proposed site plan is missing a few key connections and, in one case, shows a primary trail connection passing through a basketball court.
3. Traffic control at nearby intersections should be reviewed and, if warranted, installed soon after opening the Center, especially at 8<sup>th</sup> Avenue South and 29<sup>th</sup> Street South and at 9<sup>th</sup> Avenue South and 29<sup>th</sup> Street South. Given the projected increase in traffic on 29<sup>th</sup> Street South, it is likely that traffic control at these intersections could be necessary soon after opening the Center. Intersections further to the east along 9<sup>th</sup> Avenue South should also be monitored for future traffic control needs, if warranted.
4. Full curb ramps at all corners surrounding Lions Park should be installed as soon as monies are available to provide safe and convenient pedestrian connections for all users.
5. After opening of the Center, prohibition of parking on one or both sides of portions of 29<sup>th</sup> Street South may be warranted due to the narrowness of the street. Traffic movements along this street segment should be reviewed soon after opening.
6. Safety and delays at 29<sup>th</sup> Street South and 10<sup>th</sup> Avenue South should be monitored. If future conditions warrant the need, signalization may be an option that could be pursued with the Montana Department of Transportation.

March 16, 2021

**City of Great Falls  
Public Works Department**

**INTER-OFFICE MEMORANDUM**

**March 26, 2021**

**TO: Kenny Jorgensen, Street/Traffic Manager  
Paul Skubinna, Public Works Director**

**FROM: Austin Schultz, Traffic Division Foreman**

**SUBJECT: 29<sup>th</sup> St S and 8<sup>th</sup> Ave S- Traffic Study**

**Date: 3/5/2020**

\* \* \* \* \*

In response to the City of Great Falls request about the Traffic impacts @ 29<sup>th</sup> St S and 8<sup>th</sup> Ave S. The study involved collecting 48 hour entering volume counts, peak hour volumes, turning movements, crash history, pedestrian activity, critical approach speed study, and speed data(provided earlier)

The intersection has no control at the current time. Crash data indicated there had only been 3 crashes in 3 years of history (2017-2020).

The City of Great Falls conducted a speed study on February 23<sup>rd</sup> – February 24<sup>th</sup> on 29<sup>th</sup> St S between 8<sup>th</sup> and 9<sup>th</sup> Ave S, and also on 8<sup>th</sup> Ave S between 28<sup>th</sup> and 29<sup>th</sup> St S. The 85<sup>th</sup> percentile speed for both locations was 26 mph. The MUTCD (Manual on Uniform Traffic Control Devices) recommends that agencies set speed limits within 5 mi/h of the 85<sup>th</sup> percentile speed of free-flowing traffic. The 85<sup>th</sup> percentile speed is the speed that 85 percent of drivers travel at or below and is one of the best indicators of a reasonable and safe speed. There are “School Speed Limit 25”/”Fines Higher” signs on 8<sup>th</sup> Ave S, east of 26<sup>th</sup> St S (eastbound) and on 8<sup>th</sup> Ave S between 27<sup>th</sup> and 28<sup>th</sup> St S (westbound).

Pedestrian activity was observed during the peak hour (2pm to 4pm) on February 17<sup>th</sup> and 18<sup>th</sup> and there was no activity crossing any of the approaches of the intersection.

A critical approach speed study was conducted on all of the approaches at the intersection. All of the approaches have adequate sight distance, but on the north approach (southbound) looking right, there are trees on the northwest corner of the intersection that are trimmed adequately by the homeowner. This seems to be the only corner that has an issue with any sight obstructions.

We did not conduct a sight distance study at this intersection because of it being so wide open on all of the approaches.

Entering volume counts were conducted on February 17<sup>th</sup> and 18<sup>th</sup> and show that the Average Daily Traffic entering the intersection is 1,162 vehicles. The major street is 8<sup>th</sup> Ave S with an average daily traffic of 639 vehicles and 29<sup>th</sup> Street S is the minor street with an ADT of 523 vehicles. The peak hour is from 2pm to 3pm with the west approach carrying the highest volume (59 vehicles)(average), followed by the south approach (36 vehicles)(average). 8<sup>th</sup> Ave S averages 54 vehicles per hour for the highest 8 hours (reference C.1). 29<sup>th</sup> St S averages 37 vehicles per hour for the same 8 hours.

- A. Intersection does not meet minimum crash history criteria
- B. Intersection does not meet minimum volume & delay criteria
- C. Intersection does not have any significant obstructions to consider assigning right of way

The criteria considered for a multi-way stop (found in the MUTCD) are as follows;

### **Section 2B.07 Multiway Stop Applications**

*Support:*

*Multiway stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multiway stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multiway stop control is used where the volume of traffic on the intersecting roads is approximately equal.*

*Guidance:*

*The decision to install multiway stop control should be based on an engineering study.*

*The following criteria should be considered in the engineering study for a multiway STOP sign installation:*

- A. *Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
- B. *A crash problem, as indicated by 5 or more reported crashes in a 12-month period that are susceptible to correction by a multiway stop installation. Such crashes include right- and left-turn collisions as well as right-angle collisions.*
- C. *Minimum volumes:*
  - 1. *The vehicular volume entering the intersection from the **major street** approaches (total of both approaches) averages at least **300 vehicles per hour for any 8 hours** of an average day, and*
  - 2. *The combined vehicular, pedestrian, and bicycle volume entering the intersection from the **minor street** approaches (total of both approaches) averages at least **200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but***
  - 3. *If the 85th-percentile approach speed of the major-street traffic exceeds 65 km/h or exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the above values.*
- D. *Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*

*Option:*

*Other criteria that may be considered in an engineering study include:*

March 16, 2021

- A. The need to control left-turn conflicts;*
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;*
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop; and*
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection.*

Turning movements during the peak hour on the west and south approaches are below;

West approach – 55% Straight		South approach – 67% Straight	
(eastbound)	41% Right	(northbound)	33% Left
	0.03% Left		0% Right

In conclusion, assigning any right of way at this time would not be an option due to the volume data, adequate sight distance, and minimal crash history. We would recommend possibly installing speed limit signs on 29<sup>th</sup> St S and possibly on 8<sup>th</sup> Ave S. The intersection should continue to be monitored for changes in volume and delay after the proposed aquatic center is built and not rely on projected numbers.



**MINUTES OF THE MEETING  
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION  
March 23, 2021**

**CALL TO ORDER**

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Dave Bertelsen at 3:00 p.m. The meeting was held via Zoom in the Gibson Room, at the Civic Center.

**ROLL CALL & ATTENDANCE**

Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting is being conducted in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation is welcomed and encouraged as follows:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Gibson Room according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, March 23, 2021 to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the Planning Advisory Board/Zoning 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.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.

Planning Board Members present electronically via Zoom:

Dave Bertelsen, Chair  
Charles Pankratz, Vice Chair  
Lindsey Bullock  
Tory Mills  
Samantha Shinaberger

Planning Board Members absent:

Kelly Buschmeyer

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development  
Tom Micuda, Deputy Director Planning and Community Development  
Erin Borland, Planner III  
Jamie Nygard, Sr. Admin Assistant

Other Staff present:

Sara Sexe, City Attorney  
 Steve Herrig, Director Park and Recreation

Mr. Raymond affirmed a quorum of the Board was present.

## MINUTES

Chair Dave Bertelsen asked if there were any comments or corrections to the minutes of the meeting held on March 9, 2021. Seeing none, Mr. Pankratz moved to approve the minutes. Ms. Shinaberger seconded, and all being in favor, the minutes were approved.

## **BOARD ACTIONS REQUIRING A PUBLIC HEARING**

**Request for a Conditional Use Permit to allow a “Vehicular services” land use in the C-1 Neighborhood Commercial zoning district upon the property addressed as 620 57<sup>th</sup> Street South and legally described as South 132 feet of Lot 1, Block 5, Third Supplement to Sunrise Terrace Addition Part 3, Section 10, T20, R4E, P.M.M., Cascade County, Montana**

Mr. Raymond stated that the applicant and consultant requested that the project be rescinded from the agenda and would be presented at a later meeting.

**Request for a Conditional Use Permit to allow an “Indoor Sports and Recreation Center” land use in the Parks and Open Space (POS) zoning district for the property addressed as 900 29<sup>th</sup> Street South (Lions Park), and approval of a Non-Administrative Plat to aggregate multiple parcels and right-of-way proposed to be vacated.**

Mr. Raymond stated that the project has received a lot of public comment raising a number of issues that are not related to what the Board is considering today. What is being presented is a land use recommendation to the City Commission, and the Planning Board has seven areas of criteria for the Basis of Decision that should be focused on today.

Erin Borland, Planner III, presented to the board. She stated that in October of 2016 the City adopted a new Park and Recreation Master Plan. The plan provides a detailed analysis of the community's park and facility inventory as well as both facility and maintenance needs. One of the visionary recommendations was to construct a large multi-generational center that would replace the current recreation center as well as the Natatorium. The Natatorium was closed, and the City is moving forward on a new recreation facility. She stated that in June of 2020, the City Submitted an application to the former Office of Economic Adjustment, now the Office of Local Defense Community Cooperation (OLDCC), for a Defense Community Infrastructure Program (DCIP) grant. It gave the City an opportunity to team up with Malmstrom Air Force Base in order to apply for a 10 million dollar grant with a 10 million dollar match to build a new indoor aquatic and recreation center for the city. Ms. Borland stated that the main emphasis of the grant is to create a City and Malmstrom Air Force Base partnership. Malmstrom Air Force Base currently does not have a training facility so one of the main goals of the partnership is to create a training facility for Airmen to alleviate the cost of Temporary Duty (TDY) training for required water rescue. The facility would also improve the quality of life for Airmen and their families, as well as residents in the community, and to bring the community together as a whole. In September of 2020, the City was notified that they were approved for the 10 million dollars in grant money.

The City went forward with the RFP process to receive proposals. There were several different architects and engineering teams that submitted proposals to design the new facility. There were also several sites throughout the City that were looked at for potential development sites, and the City took suggestions from Malmstrom Air Force Base. Ultimately, the City Commission accepted the staff's recommendation to look at Lion's Park.

Ms. Borland stated that Lion's Park was established in 1952 by Resolution 4410. She stated that based on a park system inventory in 1961, the park was tentatively planned to have a swimming pool. She stated that the park is located between 27<sup>th</sup> Street South and 29<sup>th</sup> Street South and 8<sup>th</sup> Avenue South and 10<sup>th</sup> Avenue South. She stated that the park is approximately 14 acres with several amenities such as the Lions Club Memorial, tennis courts, a swing set and a pavilion. Ms. Borland presented Site Photos of Lions Park.

Ms. Borland stated that the applicant is requesting a Conditional Use Permit to allow an Indoor Sports and Recreation land use in the Parks and Open Space (POS) zoning district. Ms. Borland presented a Site Plan of the projected project in the park. She stated that the Recreation Center will be closer to the commercial area off of 29<sup>th</sup> Street South in order to try to reduce neighborhood impacts and keep as much open space as possible. The entrance will come off of 9<sup>th</sup> Avenue South with parking dispersed around the facility.

Ms. Borland also stated that there are Development Standards Based on Exhibit 20-4 for each zoning district, but that there are not any for the Parks and Open Space zoning district. As a result, staff looked at the Public Lands and Institutional zoning district standards as the most similar to the type of project being proposed. She presented a comparison between the two zoning districts.

Ms. Borland presented the Findings of Fact/Basis of Decision and stated that the full findings were in the Agenda Packet. The project is consistent with the following findings outlined in the Growth Policy:

- Social: The Social element recognized that the biggest asset the City has is its people and their well-being.
- Economic: An excellent opportunity to grow and develop the relationship with key partners in the community including the community's military partners.
- Physical: The project will enable the City to utilize and enhance a park with a facility that will benefit the whole community. The City will be able to utilize existing utilities and enhance the infrastructure system within both the park and surrounding area.

Ms. Borland stated that another Findings of Fact/Basis of Decision is the establishment, maintenance, or operation of the conditionally use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare. The project is consistent with the following findings:

- Allow for a new facility would fill voids in the city; replacing the closed natatorium; executing a partnership with Malmstrom Air Force Base to provide a training facility that is lacking in Great Falls
- Will give the community a new facility with many health benefits.
- Facility will enable the Park and Recreation Department to continue providing recreational opportunities to the community as well as increase opportunities due to greater programming capacity.

Ms. Borland stated that the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values with the neighborhood. The project is consistent with the following findings:

- The facility is strategically placed closer to the commercial uses of the area
- Parking has been designed to disperse the parking throughout the site, minimize large areas of asphalt and preserve as much greenspace as possible
- The facility is placed in an area that would not interfere with other elements of the park such as the memorial, trails, and the pavilion

Ms. Borland stated the Findings of Fact/Basis of Decision that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. The project is consistent with the following findings:

- Access is to come off of 29<sup>th</sup> Street South in order to anticipate the majority of the traffic coming from 10<sup>th</sup> Avenue South and to reduce the amount of traffic dispersing into the adjacent neighborhood
- Parking facilities have been provided to minimize on-street parking in the neighborhood
- Traffic Analysis: Installation of nearby ADA ramps, monitoring of on-street parking activity along 29<sup>th</sup> Street South, as well as traffic count collection at various intersections along the 29<sup>th</sup> Street South corridor.

Ms. Borland stated that after the traffic analysis was done, it was found that the existing street network does have sufficient capacity to accommodate the traffic that will be generated by the proposed development. The pedestrian access is ideal in the park and the safety and congestion on 29<sup>th</sup> Street South as well as 10<sup>th</sup> Avenue South will be dependent on driver behavior. The Public Works Department will go out again and get new data, once the facility is built.

Ms. Borland also gave a presentation of the requested Non-Administrative Plat. She stated that one parcel will contain the majority of the park, including the proposed Indoor Aquatic and Recreation Center development, and the second one will accommodate a future lease parcel if the City chooses to facilitate a commercial development to supplement the new recreation center. She stated that the City is not going to vacate the alley (10<sup>th</sup> Alley South) between the 28<sup>th</sup> Street South right-of-way and 29<sup>th</sup> Street South since the alley is needed for access to the existing commercial properties on the South and for access for a future facility.

Ms. Borland presented the Findings of Fact/Basis of Decision for the Non-Administrative Plat. Effect on Local Services. The project is consistent with the following findings:

- Existing sewer mains running east and west through the park are located in the platted alleys that are proposed to be vacated
- Existing water main that is located in the platted avenue running east and west that is also proposed to be vacated
- A portion of the water main will be relocated to accommodate the proposed location of the building
- One of the existing sewer mains will be tapped into to provide service for the proposed Indoor Aquatic and Recreation Center
- All proposals for the alterations of the mains will be reviewed and approved through the Public Works Department



Ms. Borland stated that the subject properties are located in Neighborhood Council #4. The applicant and design team did present information as well as the Conditional Use Permit request to the Council on February 11, 2021. The Council did vote to approve the Conditional Use Permit. The applicant also attended another Neighborhood Council Meeting on March 11, 2021 to provide an update. She stated that staff does recommend approval of the Conditional Use Permit and the Non-Administrative Plat with the following conditions:  
 Conditions of Approval for Conditional Use Permit:

- Development Stands: The proposed project shall be developed in compliance with the Development standards as set forth in Exhibit 20-4 in the Land Use Chapter of Title 17- the Land Development Code. The proposed project will follow the standards for the PLI Public Lands and Institutional zoning district.
- Parking: The minimum required parking on site will be set at 130 spaces with the possibility of expanding up to 180 spaces within the project area.
- Landscaping: The City's landscaping requirements will be as follows: Ten boulevard trees will be required along the project's 29<sup>th</sup> Street frontage, but placement shall be allowed within both the boulevard and project area. The off street vehicular area landscaping requirements may be met through additional landscaping provided outside the boundary of the proposed parking area. The rate of planting required shall be 25 trees and 100 shrubs including perennial substitutions at a ratio of 2:1.

### **PETITIONER'S PRESENTATION**

Timothy Peterson, LPW Architecture, presented an overview of the site location selection. He stated that the original site was going to be on 57<sup>th</sup> Street but the building foundation for development on the lot was going to be over \$2 million and the facility would be a much smaller footprint than was needed. They looked at North Kiwanis Park, but Malmstrom thought the park was too far away from the base and asked the City to look at Lions Park because of the accessibility from 10<sup>th</sup> Avenue South. Mr. Peterson stated that there are six parks within a one mile radius around Lions Park. They also contacted the school district and they said that there are 962 school aged children within that one mile walking distance.

Mr. Peterson presented the project parameters and stated that the project timeframe is unusually condensed due to the Department of Defense grant. The building needs to be shovel ready for construction activity by September 1, 2021. The total grants that were submitted were 130 nationwide and of those, 16 were shortlisted and awarded the funds. The design team was selected after the award of the grant and began due diligence. The project has been presented at Neighborhood Council Meetings on three occasions. Updates about the project are presented to the City Commissioners bi-weekly. The design team did get input from swim groups, a Malmstrom spouses club, green energy group, runners, kayakers, coaches, and referees. The information has been published on the City FAQ site, in the Electric, the Great Falls Tribune, and on KRTV.

Mr. Peterson presented a project schedule and stated that the pace of the project is stipulated by the Department of Defense Grant. The bidding for the job will start in late July 2021.

Mr. Peterson presented the considerations for the Lion's Park Site:

- Accessibility is more centralized and promotes greater community access,
- Malmstrom Air Force Base recommends the location as compared to North Kiwanis Park and felt it offered better access for Airmen

- Parking overflow accessibility is available using the Lincoln Elementary School Parking lot on the weekends
- Site development leaves 8 acres of park land
- The City acquired 10 acres of additional undeveloped land on the east side of Great Falls
- Use of the facility will likely deter criminal activity in Lions Park
- Commercial properties on three sides of the park
- Design is driven by programming that will help generate sustainable revenue

Jana Cooper, TD&H Engineering, presented the project's Site Plan showing alternatives that were evaluated during the design process. One of the accesses evaluated was from 8<sup>th</sup> Avenue South, but adding that street access to the project would cut through a large part of the Lion's Park greenspace. Access from 10<sup>th</sup> Avenue South was also analyzed. The Montana Department of Transportation was open to the option, but was concerned with safety and illegal maneuvers associated with motorists turning left out onto 10<sup>th</sup> Avenue South. MDT also wanted to make sure that no new storm water was added onto 10<sup>th</sup> Avenue South. The Montana Department of Transportation told the design team that they have no plans to modify the 29<sup>th</sup> Street South and 10<sup>th</sup> Avenue South intersection with a traffic signal. The design team also felt that they would not have time to get an access onto 10<sup>th</sup> Avenue South approved before the September 1, 2021 shovel ready date, as the process would take longer. Ms. Cooper also presented the Site Plan option that was evaluated showing an increased northern buffer along 8<sup>th</sup> Avenue South and reduced parking on the northern side of the project site - 140 parking spaces. There could be potential for patrons to park out in the neighborhood if there is less parking, and the layout of the parking lot created a dead-end so for vehicular and fire access.

Ms. Cooper presented the preferred Site Plan. The primary access will be off of 9<sup>th</sup> Avenue South. There will be two secondary access points that both align to the alleys north and south of the building. The parking lot will be 155 spaces. Six spaces will be ADA spaces and there will be bus drop off for events. There will still be a large separation between the neighborhood to the north of about 100 feet and the plan does provide continuous park land without bisecting. The parking lot will be designed to blend in with the park. Trash will be located on the south side of the building off of the alley access. There is sewer and water accessible for use. The landscaping design will be protecting twelve trees in the park. Fourteen trees will be removed and two trees will be relocated. There will be twenty five new trees planted. There is a splash pad and half-court basketball court planned for outside amenities. There will be spaces for food trucks. The swings do fall in the building area, so they will be relocated closer to the playground. There is a new restroom that is planned in the park and an update to the pavilion by the Lions Club that are not a part of the proposed project. The design team feels that it is the best overall plan to serve the community.

Dani Griebe, LPW Architecture, presented renderings of the proposed facility 1<sup>st</sup> floor plan which will be about 35,000 square feet and the 2<sup>nd</sup> floor plan which will be about 10,000 square feet. She presented some proposed parking lot views of the project and views from all sides of the proposed facility. She stated that they are currently in the Design Deliverable Phase and they are expecting to submit the full package on May 1, 2021. At that point, there will be an updated project cost estimate and the project is currently within budget.

## PUBLIC QUESTIONS

Robert Alfred, 3000 Lower River Road #16, noted that his family owns the business at 2815 10<sup>th</sup> Avenue South. He wanted to know how the project will affect his business as well as the parking for customers at the businesses around his. He indicated that he had met with the City and noted that the City will probably need to put up a barrier for the existing garbage dumpster that is located in the alley that is proposed to be widened.

Lance Johnson, 2815 8<sup>th</sup> Avenue South, is concerned about traffic and parking. He stated that there are wrecks all the time in the area and that there is not one stop sign or yield sign on 29<sup>th</sup> Street South by the park. He thinks that the City should not wait to see what happens with the traffic before anything is done.

Rebecca Scott, 2819 7<sup>th</sup> Avenue South, expressed concern about traffic speed. It is already a problem now. She wanted to know about the lighting around the facility as well. She also noted that litter was a problem as well as tree vandalism. She also wanted to know who will be responsible for these issues as it has been a struggle to get problems resolved between the Lions Club and the City. Now Malmstrom Air Force Base is being put in the mix.

Burke Tyree, 2819 8<sup>th</sup> Avenue South, asked if the project was already approved for Lions Park and wanted to know if the City looked at the Opportunity Zones within the City. He stated also that the traffic is bad and needs to be looked at.

Eric Webster, 2805 8<sup>th</sup> Avenue South, asked about putting a cut across 28<sup>th</sup> Street and 10<sup>th</sup> Avenue South to alleviate some of the traffic concerns.

Doug Mahlum, 1800 Benefis Court, Peak Health and Wellness, asked how using the existing Great Falls Park District funds and bonding against it will affect the repair and maintenance of existing parks and will it be taking place.

Marty Steiner, via telephone, 515 27<sup>th</sup> Street South, asked about increase in traffic because the Benefis Women's and Children's facility is going to be right in the same area across 10<sup>th</sup> Avenue South. He wanted to know if 29<sup>th</sup> Street South could be widened into the park to accommodate the increased amount of traffic.

## BOARD QUESTIONS

Tory Mills asked if there will be an opportunity for people that have opinions about the construction to voice their concerns at a later date. He also asked about the new parcel being created with the subdivision that would potentially be leased. He wanted to know if the parcel would be used for a restaurant.

Mr. Raymond responded to the Opportunity Zone question and stated that it would not have been considered for this City project primarily because of the type of benefit the Opportunity Zone represents is a benefit for private financing for private individuals. The only Opportunity Zone created is located in the downtown area of Great Falls.

Ms. Borland responded to the questions about the traffic. She stated that the traffic analysis is located in the Agenda Packet and stated that it would be put on the Park and Recreation FAQ website. The study took a look at existing traffic conditions on adjoining roads, and data was

collected by the City's Public Works Department. There are traffic generation numbers in the analysis from the consultant as well as the numbers from the ITE [Institute of Traffic Engineers] manual which were analyzed by the City's Senior Transportation Planner. In looking at the activity in the area, it was decided after all of the analysis that the streets would be able to handle the traffic increases generated by the project. There are specific guidelines recommended in the analysis such as that a 4-way stop sign may need to be installed at the intersection at 8<sup>th</sup> Avenue South and 29<sup>th</sup> Street South and the area will be monitored for that. Speed was looked at on 8<sup>th</sup> Avenue South and 28<sup>th</sup> and 29<sup>th</sup> Street South. The 85percentile speed, average speed of 85% of all vehicles, was 26 miles per hour. It should continue to be monitored though and speed limit signs can be installed in the area. On-street parking is open to the public and if there begins to be problems she asked the public to let the City know.

Jana Cooper, the landscape architect for the project, addressed the access onto 10<sup>th</sup> Avenue South and stated that they met with MDT regarding the access. MDT was adamant about not allowing any left hand turns from the property onto 10<sup>th</sup> Avenue South.

Mr. Herrig responded to Mr. Mills question about the lease property being created by the subdivision request. He stated it could be a revenue stream, but at the current time there are no plans for the commercial property. Ms. Borland stated that when something comes forward on the proposed commercial lot, they would have to go through the public process to get it zoned and approved.

Mr. Herrig addressed the lighting questions and stated that the park is currently closed at sundown. If issues are happening in the park after that, the Police Department should be notified. He stated that the facility will be open in the evenings, so that should assist with safety. He stated that there will be cameras outside the building that should deter vandalism. Lighting will be on the outside and should not spill out into the neighborhood. He stated that in regards to the bond, they are within their parameters and will still be attacking the maintenance needs in the park, but just at a lower level.

Mr. Peterson expanded on the lighting question and stated that the City does have requirements for down lighting, so it should not spill out into the neighborhood at all. He also responded to Mr. Mills question about the construction and stated that it is not the typical process to bring in citizens to talk about how a building is constructed but said that Mr. Mills could come into their office any time and talk to the design team about his ideas. He said that there would be time at the City Commission meeting as well to add any comments.

## PROPONENTS

Robert Alfred, 3000 Lower River Road #16, is encouraged by the lighting and security that will be provided with the project as they have had two break-ins in their office and have people sleeping in the area under trees.

Doug Mahlum, lives in Big Fork but does have a business at 1800 Benefis Court, Peak Health and Wellness, thinks that Great Falls needed to replace the Natatorium and aging basketball

courts. He stated their main concern is making sure the project is successful and making sure that everyone in Great Falls can benefit from the project.

Ms. Borland read two emails that were received from Mr. Mahlum earlier in the day that will be attached on the website as part of the official record.

Nathan Reiff, via phone, 405 3<sup>rd</sup> Street NW Suite 203, stated that the Great Falls Development Authority supports the Conditional Use Permit and Non-Administrative plat. They feel it is a great project that will benefit the community and the neighborhood around it.

## **OPPONENTS**

Philip Faccenda, via phone, stated that he is an architect and a property owner two blocks away from Lions Park and sees several problems with the Conditional Use Permit. He stated that it is a passive park and an asset to the neighborhood. It is the only unobstructed park of its size. He stated that the rendering can be misleading and that the building is too tall and way out of scale with the surrounding neighborhood and the surrounding commercial structures. He stated that there was not much thought given to the location and stated that it was very easy to see upon examination of USGS depth to bedrock map from 1965 that the first three sites selected for the new facility were not anywhere close to being conducive to this kind of development. The park is going to lose 14 mature trees and a third of the park area in the proposed project. In addition to the disturbance for the building, there will be two retention ponds and there will be an asphalt parking lot that is going to act like a heat sink. He is concerned because this property is on 9<sup>th</sup> Avenue South and the traffic is horrible as the street is very narrow and there will be more traffic now as people will use 9<sup>th</sup> Avenue South as a means to get to the Aquatic Center. He stated that commercial encroachment is already an issue for the neighborhood because of its proximity to 10<sup>th</sup> Avenue South, and he doesn't see how the closeness to 29<sup>th</sup> Street South with the proposed parking lot is anywhere close to being ideal. He stated that he is in favor of the Aquatics and Recreation Center, just not on the Lions Park property.

Marty Steiner, via phone, 515 27<sup>th</sup> Street South, is in support of the project, but just not at the Lion's Park location. It is a big building and with the new clinic being built across the street the traffic will be out of control. He is concerned about the safety for the children in the neighborhood and the traffic.

## **BOARD DISCUSSION AND ACTION**

Mr. Bertelsen stated that he can appreciate neighbors' concerns as far as traffic but when you are looking at a project of this size, it is difficult to locate. He thinks Lions Park, with its size, and still being able to offer well over 50% of the park space relatively untouched, and being in proximity to 10<sup>th</sup> Avenue South, is a good compromise. The project itself lends greatly to increase the visual appeal of the park from the road and it presents a great partnership between the Department of Defense and Malmstrom Air Force Base.

Ms. Shinaberger stated that she works in the healthcare corridor and that there is quite a bit of traffic on 29<sup>th</sup> Street South headed north around 5:00 P.M. There are a lot of people that are trying to cross or turn left at the intersection onto 10<sup>th</sup> Avenue South and so it does get really congested. She would recommend that the City look into it.



**MOTION:** That the Zoning Commission recommend the City Commission approve the request for the Conditional Use Permit for the subject property as legally described in the Staff Report and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Made by: Mr. Mills  
Second: Ms. Shinaberger

**VOTE:** All in favor, the motion carried

**MOTION:** That the Planning Advisory Board recommend the City Commission approve the Non-Administrative Plat for the subject property as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Made by: Ms. Shinaberger  
Second: Mr. Pankratz

**VOTE:** All in favor, the motion carried

## **COMMUNICATIONS**

Mr. Raymond stated that the first Agenda Item that was scheduled for the meeting will be scheduled for next month.

## **PUBLIC COMMENT**

NONE.

## **ADJOURNMENT**

There being no further business, Chair Bertelsen adjourned the meeting at 5:08 p.m.

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CHAIRMAN

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SECRETARY

**Jamie Nygard**

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**From:** Jaye Johnson <jjohnson@foothillschristian.org>  
**Sent:** Wednesday, March 17, 2021 4:24 PM  
**To:** Jamie Nygard  
**Subject:** CUP - Lions Park- Recreation Center

Dear Great Falls Planning Advisory Board and Zoning Commission Members,

My Name is Jaye Johnson I reside at 2815 8th Ave South. I am currently across from the swings in Lions Park that will soon become a parking lot. Over the past 25 years of living across from this beautiful park I have enjoyed watching thousands of people enjoy Lions Park literally year round. Great Falls is a wonderful City thanks to the planning of it. Our green spaces are wonderful and we have many small green spaces in the city and then we have 2 beautiful large green spaces that stand out to me, which are Gibson Park and Lions Park. With Lions Park located on a busy artery through the city. It stands out as a green oasis in the middle of banks, casinos, fast-food, grocery & drug stores.

I am against the re-zoning of Lions Park to allow for the building of a Indoor Sports and Recreation Center. If we start compromising our green spaces in the city it messes with the overall beautiful design put together when the planning of our city started. Green spaces have a purpose for recreation and they help keep the city cooler. The city should preserve these spaces for the residents of Great Falls.

Thank you for your time.

Sincerely,

Jaye Johnson

406-899-4040

**Jamie Nygard**

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**From:** Doug Mahlum <dpmahlum@gmail.com>  
**Sent:** Tuesday, March 23, 2021 9:28 AM  
**To:** Jamie Nygard  
**Subject:** public comment for the CUP meeting March 23, 2021  
**Attachments:** CUP Meeting 1.pdf; CUP Meeting 2..pdf

Hello:

Please accept this into the public records for the CUP meeting March 23, 2021. There are 2 attachments, marked as CUP Meeting 1 and CUP Meeting 2. Please include both. If you need more information, or there is a problem complying with this request, please let me know, either through this email address or my mobile phone at 406-250-6388.

My address is:

850 Holt Drive

Bigfork, Montana 59911

I have had a business in Great Falls, the Peak Health and Wellness, for the past 19 years.

thank you

Doug Mahlum

--

Doug Mahlum

Montana Athletic Club

Planetary Fitness Consulting

[dpmahlum@gmail.com](mailto:dpmahlum@gmail.com)

wk: 406-837-2582

cell: 406-250-6388

CUP Meeting for the Indoor Sports and Recreation Center  
Public Comment  
March 23, 2021

Where will the \$10 million the City of Great Falls has to provide, as a match to the \$10 million DCIP grant, come from?

The City of Great Falls Park and Recreation Master Plan from 2016 has been brought up as a guide for this project, but upon further investigation, questions arise: The 176 page report identified the current/future park and rec needs for the City. Included in that was a recommendation for the Capital Improvement Program that called for \$12,614,160 in **Critical Improvements** to the City Park system (see exhibit #1 - Critical Improvements).

This led to the Great Falls Park District 1 Tax Assessment, passed in 2018 (exhibit #2 - Park District Info). These funds were earmarked to be spent **ONLY** on City park maintenance and accessibility issues. The **Most Supported Actions**, from the Master Plan, showed the desire to repair aging neighborhood parks as the overwhelming need by Great Falls citizens (see exhibit #3 - Support).

The City of Great Falls has decided to take these funds, earmarked to "repair and improve" City Parks and spend the vast majority as matching funds on the Aim High Big Sky Rec Center. It does not matter if they are directly using the funds or bonding against the funds from the Assessment, they are still unusable for the required City Park maintenance. Simply put, the Great Falls City Parks have just taken a back seat to a project that was not even approved by the voting public. So, the logical question is: when do City parks finally get "Critical Improvements" and how is that paid? Another tax assessment? Any way you look at it, Great Falls residents are being taxed for a new Rec Center that they did not know about, provide input on, or approve.

Doug Mahlum  
Ownership group for the Peak Health and Wellness

A handwritten signature in black ink, appearing to be 'DM' or similar initials, with a long horizontal line extending from the right side of the signature.



## Exhibit #1 - Critical Improvements

### 1.5.8 CAPITAL IMPROVEMENTS

In order to plan and prioritize capital investments, the consulting team recommends that the Park and Recreation Department applies specific guiding principles that balances the maintenance of current assets over the development of new facilities. The departmental CIP framework is also utilized to determine and plan CIP projects and make budget decisions that are sustainable over time. These criteria (e.g., safety compliance, commitment, efficiency, revenue) and priorities are also focused on maintaining the integrity of the current infrastructure and facilities before expanding and/or enhancing programs and facilities.

The synthesis of data from this planning process indicates strong support for this concept of prioritization. Even with the indications of a modest economic turnaround, funding is not sufficient to take care of all existing assets and build new facilities.

The result is the recommendation to develop a three-tier plan that acknowledges a stark fiscal reality, leading to the continuous rebalancing of priorities and their associated expenditures. Each tier reflects different assumptions about available resources.

- The **Critical Alternative** has plans for prioritized spending within existing budget targets. The intention of this alternative is to refocus and make the most of existing resources with the primary goal being for the department to maintain services. The actions associated with the Fiscally Constrained Alternative address deferred maintenance at existing facilities and is funded through existing tax dollars.
- The **Sustainable Alternative** describes the extra services or capital improvement that should be undertaken when additional funding is available. This includes strategically enhancing existing programs, beginning new alternative programs, adding new positions, or making other strategic changes that would require additional operational or capital funding. In coordination with the City Manager's Office and City Commission, the Park and Recreation Department would evaluate and analyze potential sources of additional revenue, including but not limited to capital bond funding, partnerships, program income, grants, and existing or new taxes.
- The **Visionary Alternative** represents the complete set of services and facilities desired by the community. It is fiscally unconstrained but can help provide policy guidance by illustrating the ultimate goals of the community, and by providing a long-range look to address future needs and deficiencies. In this Master, the Vision Alternative addresses aging facilities to make improvements in operational effectiveness and the overall sustainability of the park and recreation system. Funding for vision projects would be derived from partnerships, private investments and new tax dollars.



## Exhibit #1 - Critical Improvements

### 8.1 CRITICAL RECOMMENDATIONS - MAINTAINING WHAT WE HAVE

This section outlines the projects and estimated capital costs of each that focus on the lifecycle replacement of existing facilities and amenities.

CAPITAL IMPROVEMENT PROGRAM	
CRITICAL	
PARK/FACILITY	COST
American's Little League	\$102,575
Belview Park	\$5,750
Bloomington Park	\$3,950
Boston Heights Park	\$114,010
Carter Park	\$33,540
Centene Stadium	\$2,500
Charles Russell Park	\$1,020,000
Chowen Springs Park	\$6,500
Clara Park	\$398,520
Community Hall Park-Westside Orchard Garden	\$4,600
Don Olson 90ft Baseball Field	\$6,000
Dudley Anderson Park	\$6,350
Eagles Crossing Park	\$65,020
Elks Riverside Park	\$8,000
Fox Hollow Park	\$4,000
Garden Home Park	\$6,000
Gibson Park	\$2,935,000
Grande Vista Park	\$102,575
Graybill Park	\$69,900
Highland Multi-Sport Complex	\$1,235,000
Highland Portion - Electric City BMX Park	\$3,000
Hyland Heights Park	\$85,875
Jaycee Gallatin Park	\$625,000
Jaycee Pool	\$100,000
Kiwanis North Park	\$95,270
Kiwanis West Park	\$90,000
Kranz Park	\$205,510
Lions Park	\$300,000
Madison Park	\$7,420
Mitchell Pool - Electric City Water Park	\$500,000
Meadowlark Park	\$1,000
Memorial Park	\$110,510
Natatorium	\$600,000
Noah's Ark Park	\$46,170
Oddfellows Park	\$205,000
Overlook Park	\$114,900
Pinski Park	\$457,480
Rhodes Park	\$118,110
River's Edge Trail	\$100,000
Riverview Little League Park	\$14,900
Riverview Park	\$194,790
Roosevelt Park	\$110,510
Sacajawea Park	\$183,300
Skyline Heights Park	\$275,670
Skyline Park	\$269,130
Sunnyside Park	\$5,010
Valleyview Park	\$390,440
Verde Park	\$387,875
Wadsworth Park Site Specific Master Plan	\$100,000
Warden Park	\$18,000
Water Tower Pool	\$50,000
West Bank Park	\$445,000
<b>TOTAL</b>	<b>\$12,614,160</b>

## Exhibit #1 - Critical Improvements

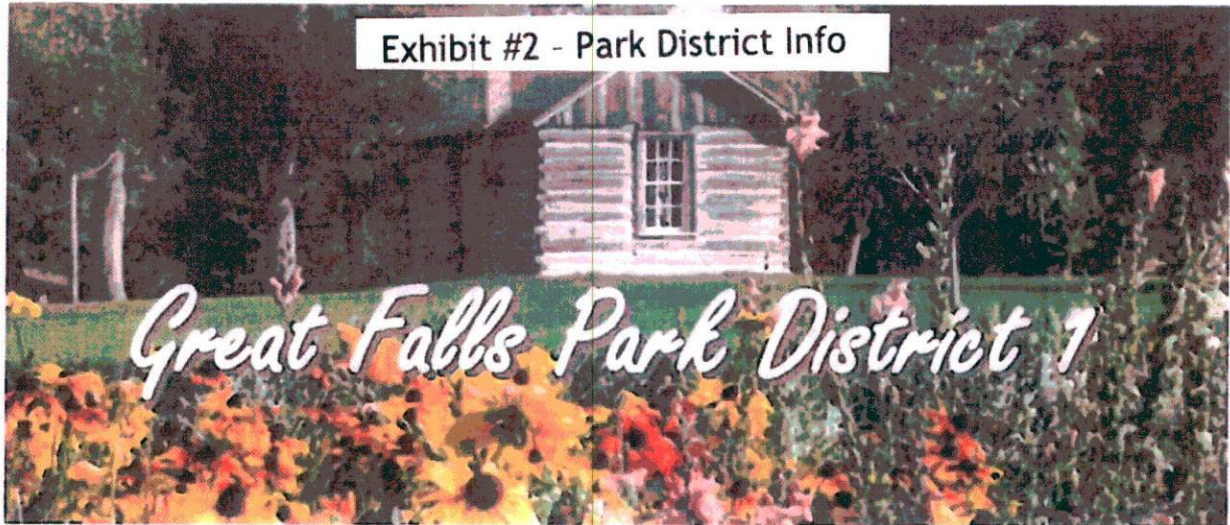
### 8.2 SUSTAINABLE RECOMMENDATIONS - IMPROVING WHAT WE HAVE

Options described in this section provide the extra services or capital improvement that could be undertaken when additional funding is available to meet need(s) with a focus on enhancements to existing facilities. The following provides a summary of the sustainable options recommended by the consulting team.

<b>CAPITAL IMPROVEMENT PROGRAM</b>	
<b>SUSTAINABLE</b>	
<b>PROJECT</b>	<b>COST</b>
Convert 6 existing Tennis Courts to Pickleball Courts	\$100,000
Add 5 Large Covered Picnic Shelters at the following parks:	\$500,000
*Gibson Park	
*Grande Vista Park	
*Jaycee Park	
*Kiwanis Park	
*Meadowlark Park	
Add 2 Dog Parks at the following parks	\$150,000
*Clara Park	
*Montana Park	
Develop Site Specific Master Plans for the following parks	\$350,000
*Garden Home Park	
*Skyline Park	
*Wadsworth Park	
Conduct an Athletic Field Master Plan	\$50,000
<b>TOTAL</b>	<b>\$1,150,000</b>



## Exhibit #2 - Park District Info



On May 8, voters will be asked to consider creating a Park District to address \$12.6 million in deferred maintenance identified in the Park and Recreation Master Plan: <https://greatfallsmt.net/recreation>. If the creation of the Park District is approved by the voters, the proposed assessment amount for the District would be \$1.5 million annually for the first three years. The assessment method would be based on taxable property value. The estimated 2018 assessment for a property with a 2017 market value of \$100,000 would be \$1.91 per month.

#### **Maintenance Problems and Consequences**

- \$12.6 million in critical projects should be addressed in the next five years. Delaying maintenance increases costs of repairs and the critical projects list will continue to grow.
- Park trails, sports courts and other park facilities that deteriorate and become unsafe may be closed.
- Trees that aren't maintained create safety hazards, damage property, will become unhealthy and over time will die. Trees should be trimmed every 4-7 years and are currently being trimmed on a 30-35 year schedule.
- City parks are watered by aging and inefficient irrigation systems including manual systems that require significant staff hours and higher water usage.

#### **Accessibility and Safety Issues**

- 7 of 8 park bathrooms have ADA accessibility issues and need repairs and maintenance.
- Only 3 of 30 parks with play structures have ADA accessible sidewalks.
- 7 of 18 parks with walking trails have paths that are in poor condition including Gibson Park and Elks Riverside trails.
- 15 of 17 sports courts need repairs.
- The bath house at the Electric City Water Park needs major repairs and ADA accessibility improvements.



## Exhibit #2 - Park District Info

### What is a Park District?

A Park District is a special purpose district which would allow the City to assess funds to be used for parks, forestry and trails for capital improvements, staff and operations. Funds may also be used for maintenance and improvements to recreation and aquatics facilities; but may not be used for programming.

### What will the money be spent on?

Projects planned for the first three years include, but are not limited to:

- ADA restroom improvements for various parks
- ADA sidewalks to play structures
- Electric City Water Park bath house improvements
- Replacement of Elk's Riverside Park Trail
- Overlay of Gibson Park Trail
- Resurface sports courts (basketball, tennis/pickleball)
- Multi Sports dugouts/backstops
- Picnic pavilion
- Trail improvements
- Irrigation upgrades
- Tree trimming and replacement

### What happens if the Park District doesn't pass?

The Park and Recreation Master Plan identified \$12.6 million in deferred or critical maintenance projects to be completed within the next five years. Deferred maintenance will continue with eventual closures of facilities and play equipment that are deemed unsafe. There will be a significant reduction of services including mowing, watering and tree maintenance with the community parks receiving more services than neighborhood parks.

### Why doesn't the City sell park land?

The one time funds from the sale of park land would do little to help offset the \$12.6 million in deferred maintenance. In addition, most of the land is not conducive for any purpose other than open space which would make it difficult to sell. Some pieces are dedicated as park land and cannot be sold. Sale of park land requires a 4/5 vote of the City Commission.

For up to date information on the Park District call 771-1265,  
Monday – Friday, 8am – 5pm  
or visit <https://greatfallsmt.net>

# VOTE MAY 8, 2018

## PARK FACTS

**82%**  
of people use  
GF parks

**57**  
city parks

**69%**  
of people used  
GF trails last year

**53**  
miles of  
River's Edge Trail

**79%**  
of people oppose  
selling park land

**36,000**  
trees in  
boulevards and  
parks

## Exhibit #2 - Park District Info

## Great Falls Park District 1

### FAQ

- 1.) What is a park district?
  - a. A park district is a form of local special-purpose district for providing and/or maintaining public parks and recreation in or near its geographic boundaries.
- 2.) How much will it cost the average homeowner?
  - a. The assessment is based on taxable value which is set by the Montana Department of Revenue. The estimated cost for homeowners is \$22.92 a year for a property with a market value of \$100,000. Residents can call the City Finance Office at 455-8477 or the Park and Recreation Office at 771-1265 for an estimate.
- 3.) Do any other cities in Montana have park districts? If so, which ones?
  - a. Missoula, Billings, Colstrip
- 4.) Why does Park & Recreation need more money?
  - a. The purpose of the Park District is to address the \$12.6 million dollars in deferred maintenance and some operational needs identified in the Park Master Plan. It is not the intent to expand the existing park system, but to maintain it.
  - b. The Park and Recreation Master Plan is available online at:  
<https://greatfallsmt.net/recreation>.
- 5.) Why haven't any of the undeveloped parks been developed or sold.
  - a. Sale of all undeveloped park land would only generate approximately \$370,478; most of the property is not conducive for any purpose except open space, which would make it difficult to sell. Some pieces of park property were provided to the City as dedicated park land and therefore, could not be sold.
  - b. Sale of the property would relieve the city of maintenance and insuring the property, but would do little to help offset the \$12.6 million in deferred maintenance.
- 6.) Are there any circumstances under which Park and Recreation is willing to sell existing developed or undeveloped parks?



## Exhibit #2 - Park District Info

- a. Sale of park land requires a public process with community input (Montana Code 3.04.030).
- b. The final determination would be made by the City Commission and requires a 4/5 vote (Montana Code 3.04.010).
- c. In addition, there is a concern with selling park land because it would be a loss of green space that can't be replaced.

7.) There have been lots of ads on the radio about Park and Recreation lately. How much is the city paying for those ads?

- a. The radio spots that have been running on all Central Montana radio stations have been running for almost two years. There has been no cost to the City for the radio spots. According to Central Montana Radio's General Manager, they are happy to provide support to the community and Park and Recreation, and to supply this pro bono service. (In addition, prior to running these radio spots, they have run weekly psa's for Park and Recreation.)

8.) What are the alternatives if the park district is not approved.

If the District is not created, potential options to address the issues identified in the Master Plan include, but may not be limited to:

- Significant increase in general fund support.
- Continued deferral of maintenance; closure of facilities or equipment that are unsafe.
- Potential sale of City park land.
- Significant reduction of services – tiered maintenance of parks. Heavily used parks will be maintained more regularly than less used parks. Maintenance includes watering, mowing, equipment repair, and tree maintenance.
- Development of new parks would only be possible with local park assessments in subdivision covenants to include park construction and ongoing maintenance.

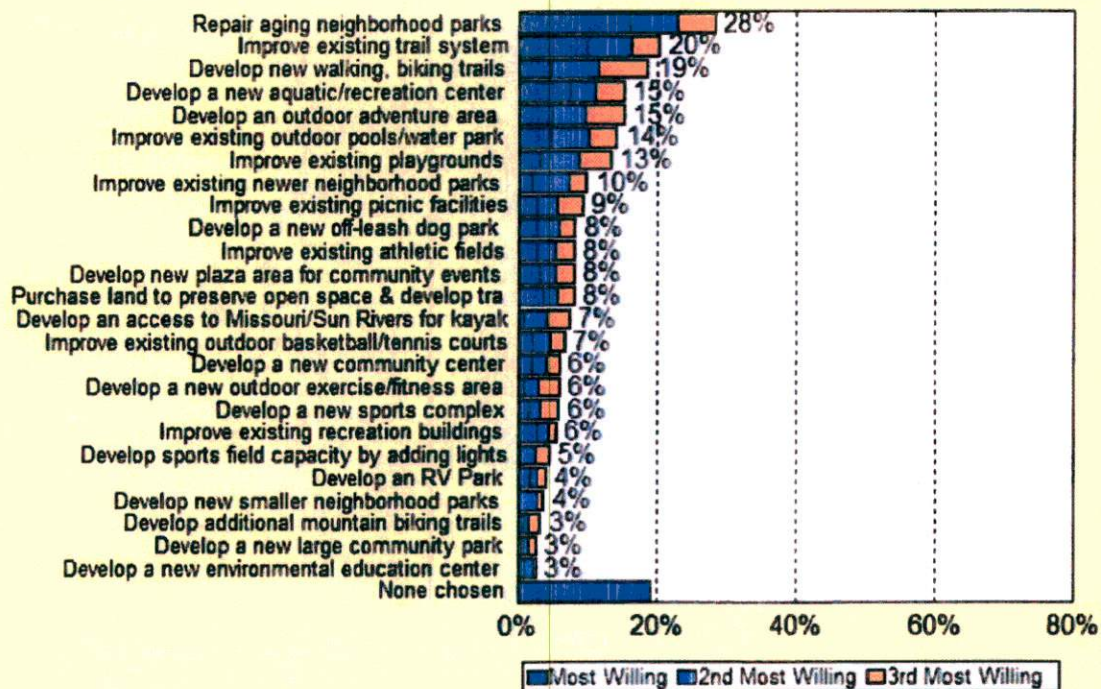
Date Created: March 2018

### Exhibit #3 - Support

- **Most Supported Actions:** Twenty-eight percent (28%) of respondents indicated they were the most willing to fund the repair of aging neighborhood parks. Other items respondents are the most willing to fund include: improve existing trails system (29%), develop new walking and biking trails (19%), develop a new aquatic/recreation center (15%), develop an outdoor adventure area (15%), improve existing outdoor pools/water park (14%), and improve existing playgrounds (13%).

#### Q13. Actions That Respondents are Most Willing to Fund

by percentage of respondents



Source: ETC Institute (2016)



# Great Falls Park and Recreation Master Plan

## Exhibit #3 - Support

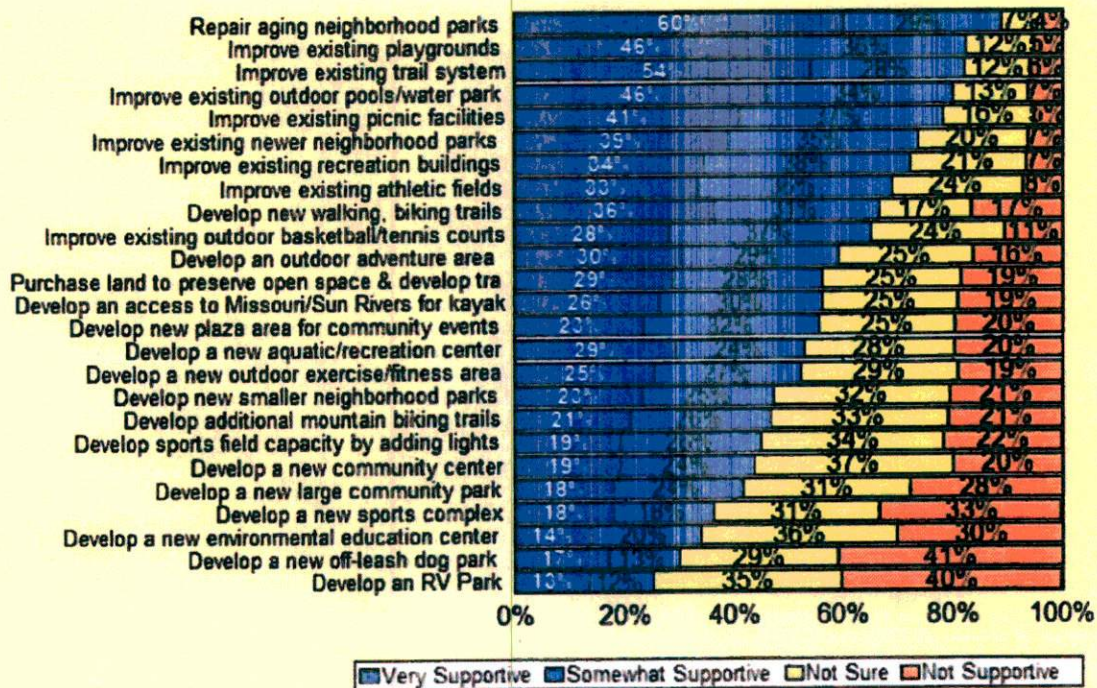
### 4.3.8 SUPPORT TO IMPROVE PARKS, TRAILS, AND THE RECREATION SYSTEM

Respondents were asked to indicate their level of support for 25 potential actions that the City of Great Falls could take to improve the parks, trails, and recreation system.

- Supported Actions: Based on the percentage of respondents who indicated they were either "very supportive" or "somewhat supportive", 89% indicated repair aging neighborhood parks. Other most supported actions include: Improve existing playgrounds (82%), improve existing trail system (82%), improve existing outdoor pools/water park (80%), and improve existing picnic facilities (78%).

### Q12. Respondent Level of Support for New/Improved Parks, Trails, and Recreation System

by percentage of respondents



Source: ETC Institute (2016)



## CUP Meeting for the Indoor Sports and Recreation Center

Public Comment

March 23, 2021

If I went before a Bank, Government Guarantee Program, business, or any sort of financial institution and asked for \$20 million to build an architecturally awesome Recreation Center, the very first thing they would say is:

“How will you pay for this and show us your business plan to keep it viable in the future”.

The paying for, I can understand - a \$10 million Department of Defense Grant, matched with another \$10 million achieved through a financial sleight of hand. So, you will really do not have a capital investment to pay back, but you do have to pay for the bond taken out against the Park District Tax Assessment at some point.

What I don't understand is how you plan on paying for day-to-day operations, without increasing taxes to all Great Falls residents (I have experience in this process, having run a fitness consulting business, throughout the US, for the past 30 years).

Over the previous few weeks, I have asked (as well as several of my staff) the City for the financial proforma and/or the budgetary Profit and Loss for the Aim High Big Sky Rec Center. To date, we have only received extremely vague answers and promises to answer by City. Mostly, they just ignore our questions, hoping we will go away. The closest we have come to answers is at public meetings, where some City official repeats the mantra of “We have taken the income and expenses for the Natatorium and gymnasium, then based the new Rec Center income and expenses on those numbers”. Really? The only commonality between the Nat and the Rec Center is a hole in the ground with a bit of warm pool water contained within. But even with those questions, no numbers are produced, just ambiguous statements.

I can tell you, with the utmost confidence, had I approached ANY financial institution asking for \$20 million and gave them those answers, I would be out on my ear faster that you could say “We don't give out free lunches here, buddy”.

The City of Great Falls should be treated no differently. The City works for the people of Great Falls and spends the money given to them by these people. If a project pushed by the City (and NOT voted on by the people) is built, using taxpayer funds, claimed to be financially viable, and then loses vast amounts of funds - where will those funds come from? Will the City Staff and Commissioners, who aggressively promoted this project, reach into their pockets to make up the difference? Of course not - they only have the responsibility to spend your money! Their only option is to reach into YOUR pocket and makeup the shortfall with YOUR tax dollars - whether you use the facility or not! But the best part? Once built, there will be no choice at all about raising your taxes to support this facility - or you face losing your shiny new Rec

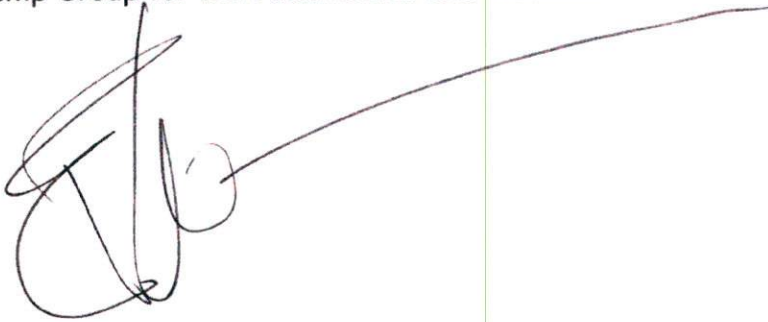


Center (and all the bonding that went with it). Starting to sound a little like the Highwood Generating Station?

The people of Great Falls deserve to see the financial details of a project they are paying for, both in construction and operation. They deserve the right to have an informed opinion on a project that may affect their lives. What they do not deserve is to have the Aim High Big Sky Rec Center shoved down their throat, because a few government officials feel it is "good for them".

So, I ask: When will full financial disclosure take place for the construction and operation of Aim High Big Sky Center be available? Remember, citizens of Great Falls, your elected officials work for YOU and owe YOU answers to these questions.

Doug Mahlum  
Ownership Group for the Peak Health and Wellness

A handwritten signature in dark ink, appearing to be 'DM', with a long horizontal line extending to the right.

## Jamie Nygard

---

**From:** Randall Knowles <knowlesmontana@juno.com>  
**Sent:** Tuesday, March 23, 2021 2:30 PM  
**To:** Jamie Nygard  
**Subject:** Aquatic Park Comments

The Class Room / Party Room needs to be located near the shallowest portion of the pool; it is the smaller children who are going to hold the most parties at the pool and they often times have younger siblings... AND the party room needs to open up to the pool – no long distance area for a child to get a running start to enter or re-enter the pool... The architects have a good example of a well thought out complex located at Kamas UT

The Locker room appears to be TO Small, is there going to be adequate lockers if the entire 6<sup>th</sup> grade of any elementary school decides to hold a party? At Kamas the locker room accommodates the high school, middle school, and club swim teams PLUS the needs of day use public ...

Great Falls does will NOT get an opportunity for a do Over for a very long time ... We must steal as many good ideas as possible

It also appears that the underground spring, running down west down 9<sup>th</sup> Ave So, will run directly under the center of the building ... This spring runs all the way to Parkdale and is about 6 feet below my side walk....

The avenue which is NOT in the traffic study is 9<sup>th</sup> Ave South, people are already accustomed to turning on 32<sup>nd</sup> for Star Bucks –which is already creating traffic congestion- and 32<sup>nd</sup> to 29<sup>th</sup> is a smooth straight shot, If people cannot buy coffee at the Center they will be buying it at Star Bucks ...

I think the Child watch area should be closer to the pool so these customers can see the action in the pool .....randy

– Randall Gene Knowles, 3017 Ninth Avenue South, Great Falls, MT 59405-3421 voice, cell, & text **406-799-1547 KnowlesMontana@Juno.com**

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- **Soldiers Held at Gunpoint While Moving Vaccines**
- **Senator on Biden's \$3T Plan: 'We Need to Get It Done'**

## Jamie Nygard

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**From:** Randall Knowles <knowlesmontana@juno.com>  
**Sent:** Tuesday, March 23, 2021 4:33 PM  
**To:** Jamie Nygard  
**Subject:** Aquatic Center

I called the number in the Agenda and WAS NOT allowed to speak?? I redialed and still no Luck...

For traffic We need to look at 32<sup>nd</sup> street and 30<sup>th</sup> street off of 10<sup>th</sup> ave so. 32<sup>nd</sup> is already a mess due to Star Bucks

On 32<sup>nd</sup> street we need to look at 9<sup>th</sup> and 8<sup>th</sup> ave south - these are long smooth blocks which encourage speeding

I am not excited about more signage to clutter up the view

There will NOT be any view to the South or East of the building due to existing buildings and the geography of 9<sup>th</sup> Ave so.

Pam & Bob Alfred's business obstructs the view of the water slide of east flowing 10<sup>th</sup> ave so Therefore NOT a big deal...

- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tue 2021, to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the sub include the name and address of the commenter. Written communication received by that time with the Planning Advisory Board/Zoning Commission and appropriate City staff for consideration agenda item and before final vote on the matter; and, will be so noted in the official record of t
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All cal queued system and are asked to remain on hold and be patient. Calls will be taken in the order received. Callers will be restricted to customary time limits. This is a pilot service to test the fea expanded public participation by phone. We ask for your patience in the event there are techni

## OPENING MEETING

1. Call to Order - 3:00 P.M.

– Randall Gene Knowles, 3017 Ninth Avenue South, Great Falls, MT 59405-3421 voice, cell, & text **406-799-1547** **KnowlesMontana@Juno.com**

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- **Soldiers Held at Gunpoint While Moving Vaccines**
- **Senator on Biden's \$3T Plan: 'We Need to Get It Done'**



**Jamie Nygard**

**From:** Randall Knowles <knowlesmontana@juno.com>  
**Sent:** Tuesday, March 23, 2021 4:42 PM  
**To:** Jamie Nygard  
**Subject:** Knowles Proponents comments

Phone number did not work again;



**Planning Advisory Board/Zoning Commission Agenda  
 2 Park Drive South, Great Falls, MT  
 Gibson Room, Civic Center  
 March 23, 2021 3:00 PM**

**UPDATES CONCERNING PROCESS OF MEETINGS** Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting will be held in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and Planning Advisory Board/Zoning Commission are making every effort to meet the requirements of open meeting laws:

- Planning Advisory Board/Zoning Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.
- 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 comment will be taken during the meeting. Public participation is welcome in the following ways:
  - Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Gibson Room according to applicable health guidelines.
  - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, March 23, 2021, to: [jnygard@greatfallsmt.net](mailto:jnygard@greatfallsmt.net). Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the Planning Advisory Board/Zoning 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.
  - Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties.

**OPENING MEETING**

– Randall Gene Knowles, 3017 Ninth Avenue South, Great Falls, MT 59405-3421 voice, cell, & text **406-799-1547** [KnowlesMontana@Juno.com](mailto:KnowlesMontana@Juno.com)

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Memo: To City Manager, Greg Doyan, and the City Commissioners

From: TAXPAYERS

Rosanne and Bill Davis at 724 32<sup>nd</sup> Street South/ Great Falls, MT 59405  
Resident of address since 1986/ and of Great Falls, MT for 48 yrs.

### **EXPENSES/ EXPENSES/ EXPENSES**

At 80 yrs. of age I may be too old to care about what happens at our loved Multi-Use Community Park, but I have "learned a thing or two" living here. We have NOT forgotten the Coal Fired Plant "Boondogle" that cost the taxpayers in the millions. Taxpayers may have to increase their federal taxes to pay for this Aquatic Center and then pay an additional tax to the city to pay for someone (whoever that maybe) **to run it, and to pay for the maintenance of a large SWIMMING POOL which can be an expensive item.**

- A. 1. Who hatched this brilliant scheme?? **No wonder we had 2 city commissioners recently resign!!!**
2. Why is an Aquatic Center a priority when our gas and water lines have holes in them and need to be replaced? We saw this 2 or 3 yrs. ago when they dug up those on 32<sup>nd</sup> Street South. (??Fed. Infrastructure Money—Unsure!)
3. How much usage was the old Natatorium getting? **I doubt if it was getting the usage the covered area with bathrooms, tennis courts, and other fun play equipment has been getting over the years. Sometimes it was difficult to reserve Lion's Park for special events, as it was booked early for summer months being one of the few parks with a cover and multi-age equipment.**

### **TRAFFIC/ TRAFFIC/ TRAFFIC**

- B. When did the city check TRAFFIC in that area where new businesses (now a large car wash on 10<sup>th</sup>), schools (Lincoln and Roosevelt) on one ways, the expanded hospital and doctor's facilities with expanded parking, and the new Women & Children's Care Center are all located? **Was this check done during the pandemic when doctor and dentist's offices were closed and visitation at the HOSPITAL was curtailed????** If so, a new TRAFFIC count needs to be done when those offices are open and schools are back to normal operations **(NOT REMOTE LEARNING)!!!**



- C. Since we live on 32<sup>nd</sup> Street, we know that there are no One Ways on 8<sup>th</sup> and 9<sup>th</sup> Street South or on 11<sup>th</sup> and 12<sup>th</sup> Street South or is there potential to do so. **I suggest that the City Manager and Commissioners try to take those streets during busy times when others like us avoid 10<sup>th</sup> Ave. South due to HEAVY TRAFFIC (and 3 family car accidents) which backs up for more than 2 blocks at each stoplight on Tenth Ave. So.** For those who miss Denver, Seattle, or Florida.....You can pretend you are on those busy, busy streets and wait until you get hit in the back end and pay for repairs!!! 😊

**Observed BUSY TIMES are:**

Going to Work----- 7 am to 8:30 or 9 am  
 Noon Rush----- 11 am to 1:30 pm  
 School Dismissal----- 2:30 pm to 3:30 pm  
 Home from Work----- 4:30 pm to 6:30 pm

**When would feasible SWIM TIMES be???**

9-11 am-----2 hrs.  
 1:30—3:30-----2 hrs.  
 7-9 pm-----2 hrs.

Except on Sat. and Sun. **Lion's Park now gets good usage from 7 am to 9 pm for different reasons like lunch breaks, preschool play times, walk the dog times, daily exercise times, etc.**

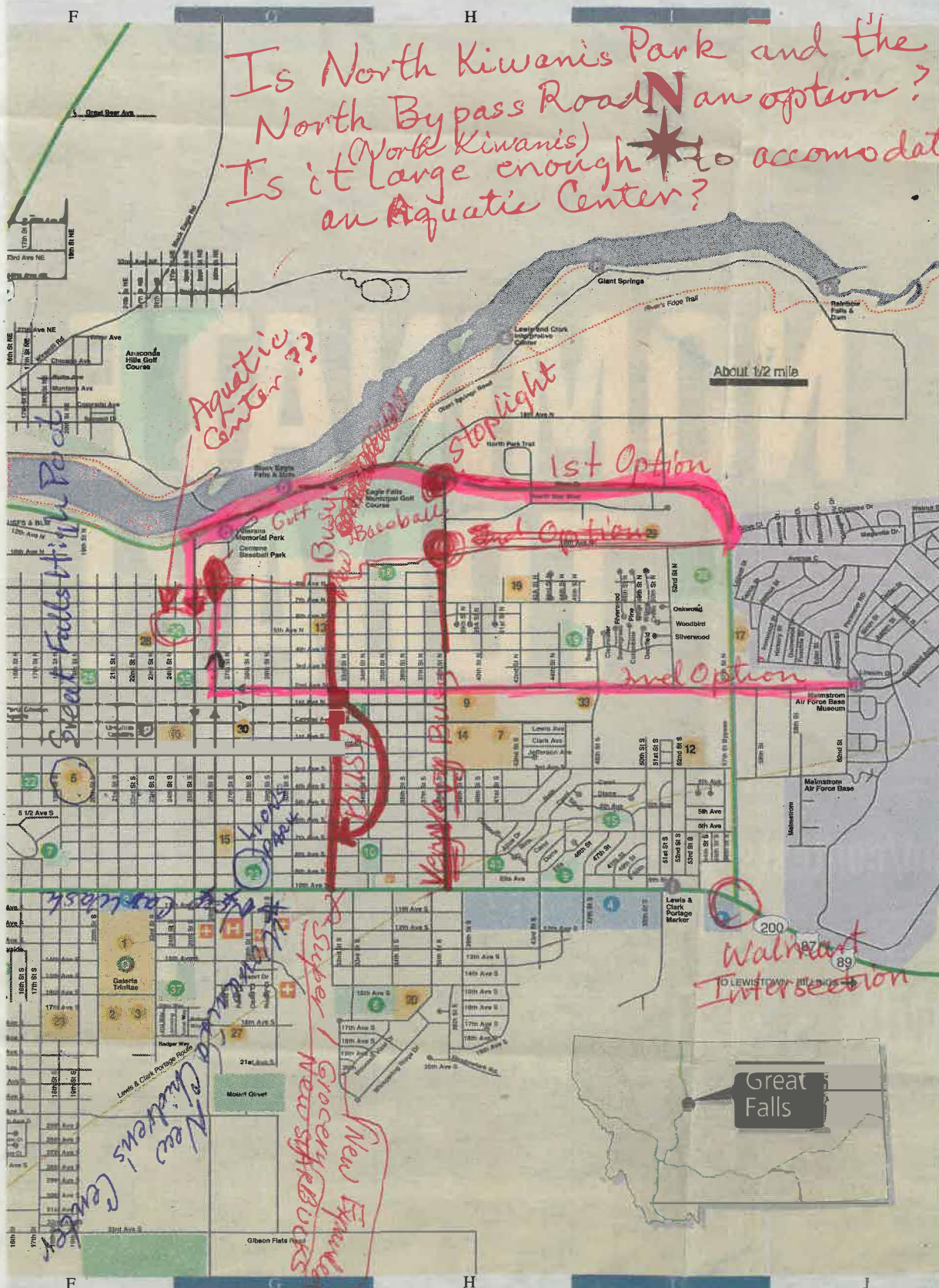
**LOCATION/ LOCATION/ LOCATION**

- D. Why did MAFB NOT include an Aquatic Center in their latest Exercise Center Development??? Could it be because of **Operating Costs or these pesky springs and the water level that pops up all over the east end of Great Falls???**
- E. Why was Lion's Park chosen when its usage is heavier than many other of the Great Falls 52 listed parks and by one of the busiest streets in MT (Tenth Ave. So.)????
- F. Is the Great Falls Swim Club still using Great Falls High swimming pool??? That pool is only 10-12 blocks from Lion's Park location. Insurance Costs???



# Aquatic Center???

Is North Kiwanis Park and the North Bypass Road <sup>(North Kiwanis)</sup> an option?  
Is it large enough <sup>to accomodate</sup> an Aquatic Center?



## Government

- Great Falls city offices, Civic Center
- County offices, Cascade County Courthouse, 300 3rd Ave. N., C-6
- Great Falls Police Department, 1 1st
- Juvenile Detention Center, 1600 26th
- Cascade County Adult Detention and N. Ulm Frontage Road, G-1
- City public works complex, 1025 25th
- City water plant, 1301 Lower River
- County Extension Service, 3300 3rd
- Driver's license testing office, 207 S
- State Fish, Wildlife and Parks headquarters
- State Job Service office, 1018 7th
- Lewis and Clark National Forest, 110
- National Weather Service, 5323 Tri
- U.S. District Court, 125 Central Av

## Parks

- 1 Bel View B-1
- 2 Boston Heights G-4
- 3 Broadwater Overlook D-3
- 4 Cambridge Court E-5
- 5 Carter E-3
- 6 Charles Russell H-2
- 7 Chown F-3
- 8 City Rec. Ball Park E-2
- 9 Clara H-3
- 10 Dudley-Anderson H-3
- 11 Eagle's Crossing Park F-7
- 12 Elks Riverside Park D-4
- 13 Fox Hollow C-1
- 14 Gallatin D-6
- 15 George Pinski I-3
- 16 Gibson Park D-4
- 17 Grande Vista C-1
- 18 Graybill H-5
- 19 Heren I-4
- 20 Horizon D-7
- 21 Hyland Heights E-2
- 22 Kranz F-3
- 23 Lions G-3
- 24 Madison D-6
- 25 Meadow Lark C-1
- 26 Memorial F-4
- 27 Montana C-2

## Schools

### Higher Education

- 1 University of Great Falls F-2
- 2 Great Falls College Montana State University F-2
- 3 MSU-Northern in Great Falls F-2
- 4 MSU-Bozeman College of Nursing E-2

### Middle & High Schools

- 1 C.M. Russell High D-5
- 2 Great Falls High D-8
- 3 East Middle H-4
- 4 North Middle E-6

### Specialty Schools

- 1 Montana State School for the Deaf and the Blind H-4
- 2 Paris Gibson Education Center F-4
- 3 Early Learning Family Center at Skyline School D-7

### Elementary Schools

- 1 Chief Joseph I-4
- 2 Giant Springs G-4
- 3 Lewis and Clark H-4



Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Minor Subdivision – Sun River Park Addition addressed as 8 22<sup>nd</sup> Street Southwest and legally described as Lot 3-A1, Block 18, Section 9, T20N, R3E, P.M., Cascade County, Montana

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

**Initiated By:** Clint Buford, Applicant and Owner

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

**Action Requested:** City Commission approve the Amended Plat of the Minor Subdivision and accompanying Findings of Fact

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/deny) the Amended Plat of the Minor Subdivision, as legally described in the Staff report, and the accompanying Findings of Fact, subject to the Conditions.”

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

**Staff Recommendation:** The Planning Advisory Board, during a public hearing held on April 27, 2021, passed a motion recommending the City Commission approve the minor subdivision of the subject property. Staff recommends approval of the proposed minor subdivision request with the following conditions:

**Conditions of Approval:**

1. The applicant shall provide an amended plat of the subject property which shall be in compliance with survey requirements of this Title and State law and incorporate corrections of any errors or omissions noted by Staff.
2. The proposed plans shall conform to the R-1 zoning district development standards in the Land Development Code within the Official Code of the City of Great Falls.
3. The applicant is required to dedicate easements for utilities to the satisfaction of the City's Public Works Department.



**Summary:** The Applicant is requesting to subdivide the subject parcel that consists of approximately 0.899 acres located at the southwest corner of Central Avenue West and 22<sup>nd</sup> Street South. The property is zoned R-1 Single-family Suburban. A single-family residence currently sits on the proposed southern lot. The proposed northern lot will be used by the applicant to construct a new single-family residence for a family member. The R-1 zoning district surrounds the property and is the dominant zoning district in the area. However, a lot to the southwest of the subject property is zoned R-10 Mobile Home Park.

**Minor Subdivision Request:** The applicant is requesting a minor subdivision of the subject property to create two lots. The proposed Lot 3-A1-A would consist of approximately 0.344 acres or 15,000 square feet. According to the Official Code of the City of Great Falls (OCCGF) 17.20.4.010, the minimum lot size for a newly created lot in the R-1 zoning district is 15,000 square feet. The applicant/owner is proposing to construct a single-family residence on this lot. The proposed Lot 3-A1-B would consist of approximately 0.553 acres, or 24,094 square feet. A single-family residence currently sits on this proposed lot. The proposed lots conform to the R-1 zoning district development standards as outlined in the Land Development Code.

Two easements are being created with this minor subdivision. The first easement, which is located on Lot-3-A1-A, is a utility easement so that Lot 3-A1-B can receive water and sewer from the water and sewer mains in Central Avenue West. The second easement, also located on Lot 3-A1-A, is a continuation of the utility easement but also serves as a driveway/access easement so both lots can be accessed from a shared driveway off 22<sup>nd</sup> Street SW.

The basis for a decision to approve, conditionally approve, or deny a proposed subdivision is whether it is demonstrated that development of the proposed subdivision meets the requirements of the Montana Code Annotated (MCA), is consistent with the City's zoning regulations and is in the public interest. Staff has reviewed the proposed project in relation to the City's zoning regulations. In addition, Staff developed Findings of Fact for the proposed subdivision and concludes the subdivision meets the requirements provided by 76-3-608(3) MCA. The full Findings of Fact are included as an attachment to this report.

**Neighborhood Council Input:** Per Montana Code Annotated and the Official Code of the City of Great Falls (OCCGF) § 17.16.4.010 Table 16-2, minor subdivisions do not require Neighborhood Council notification. As a courtesy, the City's Communication Specialist e-mailed information regarding the proposed minor subdivision to Neighborhood Council #2 members. As of the completion of this report, staff has received no input from the council members.

**Fiscal Impact:** The cost of site improvements, including any utility services, will be paid by the property owner or future developer. Existing public utilities can accommodate the increased capacity. Public safety services are currently being provided to the property and will not be affected.

**Alternatives:** The City Commission could deny the minor subdivision. For this action, the City Commission must provide alternative Findings of Fact to support a denial of the minor subdivision request.

**Concurrences:** Representatives from the City's Public Works Department have been involved in the review process for this application. All comments have been addressed by the applicant, or have been noted by staff as conditions of approval.

**Attachments/Exhibits:**

Draft of Amended Plat

Findings of Fact – Subdivision

Aerial Map

Zoning Map

Development Standards of R-1 Zoning District







### **FINDINGS OF FACT/BASIS OF DECISION – MONTANA SUBDIVISION AND PLATTING ACT**

Minor subdivision of Lot 3-A1 of the Sun River Park Addition, located in the NE1/4 NE1/4 of Section 9, Township 20 North, Range 3 East, P.M., Cascade County, Montana. (PREPARED IN RESPONSE TO 76-3-608(3) MCA)

#### **PRIMARY REVIEW CRITERIA:**

**Effect on Agriculture and Agricultural Water User Facilities:** The minor subdivision is located at the southwest corner of Central Avenue West and 22<sup>nd</sup> Street Southwest which is located in city limits. The owner is proposing to construct a single-family residence on the newly created vacant lot. The project site is surrounded by existing residential development on all sides. Thus, the proposed minor subdivision will not interfere with any agricultural irrigation system or present any interference with agricultural operations in the vicinity.

**Effect on Local Services:** Lots in the proposed subdivision are currently served or will be served from public mains or private utility lines at the time of development. The Owner will pay the cost of the service lines from these utility mains. The owners of the two lots created by the subdivision will pay regular water and sewer charges, and monthly storm drain charges. The property proposed for this subdivision is currently receiving law enforcement and fire protection service from the City of Great Falls and the subdivision does not propose any changes to the current services.

**Effect on the Natural Environment:** Because only one new lot will be created, the subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from the subdivision will ultimately be integrated into existing City storm water infrastructure.

**Effect on Wildlife and Wildlife Habitat:** The subdivision is surrounded by existing residential development. This is not in an area of significant wildlife habitat beyond occasional deer and migrating fowl.

**Effect on Public Health and Safety:** Based on available information, the subdivision is not subject to abnormal natural hazards nor potential man-made hazards. The subdivision itself will not have a negative effect on Public Health and Safety. City utility mains surround the site and access to the new lot will utilize an existing access point onto 22<sup>nd</sup> Street Southwest

#### **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 private utilities to serve both lots of the subdivision.

**LEGAL AND PHYSICAL ACCESS**

Legal and physical access to the proposed subdivision lots will be provided via an access easement that connects to 22<sup>nd</sup> Street Southwest. This access easement will be created through the amended minor plat.

AERIAL MAP



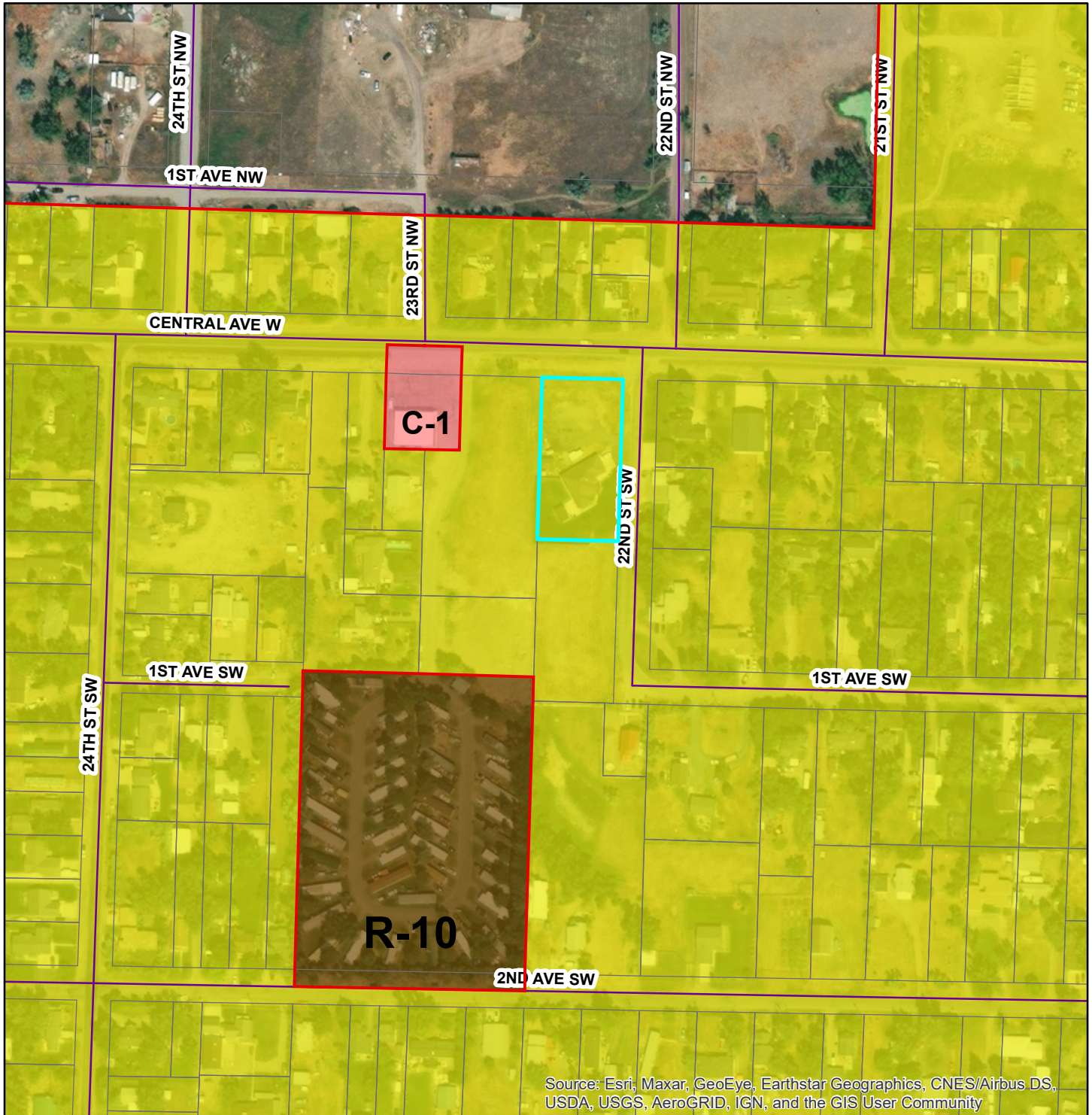
-  Subject Property
-  City Limits








# ZONING MAP

Agenda #13.



-  R-1 Single-family Suburban
-  R-10 Mobile Home Park
-  C-1 Neighborhood Commercial



**Exhibit 20-4. Development standards for residential zoning districts  
(see footnotes [4], [5] & [7] for general standards)**

Standard	R-1	R-2	R-3	R-5	R-6	R-9	R-10
Residential density	-	-	-	1,875 sq. feet of lot area per dwelling unit	500 sq. feet of lot area per dwelling unit	1,200 sq. feet of lot area per dwelling unit	10 dwelling units per acre
Minimum lot size for newly created lots	15,000 sq. feet	11,000 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	n/a
Minimum lot width for newly created lots	90 feet	80 feet	60 feet	50 feet	50 feet	50 feet	n/a
Lot proportion for newly created lots (maximum depth to width)	3:1	3:1	2.5:1	2.5:1	2.5:1	2.5:1	n/a
Maximum building height of principal building	35 feet	35 feet	35 feet	45 feet	65 feet	35 feet, single-family 50 feet, multi-family	12 feet to exterior wall
Maximum building height of detached private garage [1]	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	16 feet
Maximum building height of other accessory buildings	12 feet	12 feet	12 feet	12 feet	12 feet	12 feet	12 feet

Minimum front yard setback [2]	30 feet	20 feet	20 feet	10 feet	15 feet	10 feet	n/a
Minimum side yard setback [3]	Principal building: 15 feet each side; accessory building: 2 feet each side provided the front of the building is at least 50 feet from the front lot line	Principal building: 8 feet each side; accessory building: 2 feet each side 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	4 feet; 8 feet if adjoining a R-1, R-2, R-3 district	5 feet; 10 feet if adjoining a R-1, R-2, R-3 district	Principal building: 6 feet each side; accessory building: 2 feet each side provided the front of the building is at least 40 feet from the front lot line	n/a
Minimum rear yard setback [7]	20 feet for lots less than 150 feet in depth; 25 feet for lots 150 feet in depth and over	15 feet for lots less than 150 feet in depth; 20 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	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over	15 feet	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over	n/a
Maximum lot coverage of principal and accessory buildings	Corner lot: 40% Other types: 30%	Corner lot: 45% Other types: 35%	Corner lot: 55% Other types: 50%	Corner lot: 60% Other types: 50%	Corner lot: 70% Other types: 60%	Corner lot: 70% Other types: 60%	none

[1] Attached private garages are considered a part of the principal building for application of height and setback development standards.

[2] An unenclosed front porch on a single family residence may extend into the front yard setback up to nine (9) feet, provided the porch does not occupy more than sixty (60) percent of the length of the main part of the house.

(Ord. 2950, 2007)

[3] See Section 17.20.6.020 for side yard requirements for zero lot-line projects and Section 17.20.7.010 for accessory buildings with accessory living spaces.

[4] Smaller lots and reduced setbacks and frontages may be accomplished through a Planned Unit Development (PUD).

[5] An existing structure that does not meet the setback requirements stated above can be rebuilt on its original foundation or the original foundation location.

[6] For townhouses, see Section 17.20.6.050 for additional and superseding requirements.

(Ord. 2950, 2007)

[7] Permitted accessory structures and buildings shall have a minimum rear setback of 2 feet in all residential zoning districts.

(Ord. 2950, 2007)





Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10404 – A Resolution of Intention by the City Commission of the City of Great Falls, Montana, to vacate 8<sup>th</sup> Alley South between 7<sup>th</sup> Avenue South and 8<sup>th</sup> Avenue South; and to set the public hearing for Resolution 10391 – a resolution to approve a conditional use permit to allow a “Contractor Yard, Type II” land use in the Mixed-use transitional (M-2) zoning district at the property addressed as 214 7<sup>th</sup> Avenue South.

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

**Initiated By:** Steve Sheffels, Owner and Applicant

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

**Action Requested:** City Commission adopt Resolution 10404 and set a public hearing for June 15, 2021

**Suggested Motion:**

Commissioner moves:

- I. “I move that the City Commission (adopt/deny) Resolution of Intent 10404, and set a public hearing for June 15, 2021.”

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

Commissioner moves:

- II. “I move that the City Commission (set/not set) a public hearing for June 15, 2021 to hear Resolution 10391 for a conditional use permit to allow a “Contractor Yard, Type II” land use at the property addressed as 214 7<sup>th</sup> Avenue South.”

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

**Staff Recommendation:** At the conclusion of a public hearing held on February 23, 2021, the Zoning Commission recommended that the City Commission approve the applicant’s request for a conditional use permit.

Staff recommends approval of the Conditional Use Permit with the following conditions:

**Conditions of Approval:**

1. **Subsequent Modifications and Additions:** If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the

Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

2. **Abandonment:** If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
3. **General Code Compliance:** The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
4. **Acceptance of Conditions:** No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.
5. **Site Improvements:** The existing fence shall have, at the minimum, slats installed to screen the use from the public outside the property. The portion of the fence that is located on City Right-of-Way shall be moved to the property line.

#### **Conditional Use Permit Request – Resolution 10391:**

**Background:** Sheffels Farms, Inc. has owned the subject property since the 1950s. While in the Sheffels Farms ownership, the property has typically been used in a fashion that would be considered industrial in nature. However, in recent years the property has had very little to no use on it. Within the last year, a local bank has been renting the property in order to store heavy construction equipment that has been in the bank's care while a bankruptcy case is being adjudicated. The land use that is associated with this type of property usage is a "Contractor Yard, Type, II," which is conditionally permitted in the M-2 zoning district. This Conditional Use request is coming forward in response to a citizen's complaint on the property regarding the amount of heavy equipment being stored at the location. When staff contacted the property owner, he indicated that he was unaware that the activity was not permitted by City zoning. Since the family had used the property for this type of land use in the past, he wanted the flexibility for contracting businesses to use the site in the future and brought forward this Conditional Use request.

The basis of decision for a Conditional Use Permit is listed in OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, and additional information demonstrates that the criteria which are attached as Findings of Fact - Conditional Use have been met.

**Improvements:** The only site improvement recommended is that the existing chain-link fence have privacy slats installed in order to screen the interior use of the property from the neighboring public, particularly the residentially zoned area to the east. There is a portion of the fence that juts out into the public 3<sup>rd</sup> Street South right-of-way that will need to be moved so that it is placed along the property line. A large portion of 8<sup>th</sup> Alley South was vacated in 1958 but a small portion was never vacated. Because the applicant has the portion of the alley that is still considered public right-of-way fenced off, City Staff is working with the applicant to vacate the remainder of the alley.

*Proximity to Other Uses:*

The Subject Property is located on a parcel that has historically had industrial uses. Properties to the north and the south are similar properties that have all been part of a railroad route dissecting the blocks in the middle. The property to the west is owned by BNSF Railroad and is a non-functioning former railroad right-of-way. Currently the property to the north provides health services to youth in the community. Carter Park, a city park, is to the northeast of the Subject Property. Directly to the east across 3<sup>rd</sup> Street South are residences and an administrative office for a local union. A business classified as a Light Industrial use is located to the south across 8<sup>th</sup> Avenue South.

**Intent to Vacate – Resolution 10404:**

The applicant's request to vacate 8<sup>th</sup> Alley South between 2<sup>nd</sup> Street South and 3<sup>rd</sup> Street South allows the owner to assume full control of their portion of the block. The vast majority of the alley was vacated by Ordinance 1280 in 1958, leaving only a small portion remaining as public right-of-way. A 20-foot easement has been prepared allowing the City to access the sewer main that exists in the former alley vacated in 1958 and the proposed vacated alley. An exhibit has been attached to this agenda report to show the right-of-way to be vacated per the Resolution of Intent.

If the Resolution of Intent is adopted by the City Commission, the Commission must set a date for a public hearing regarding the vacation of right of way. M.C.A. requires a petition to be sent to each of the owners abutting the right of way property. Unless 51 percent of the affected property owners object to the proposed vacation, the Commission may, by ordinance, declare such vacation. Staff notes that the applicant is the only property owner on either side of the right of way.

**Neighborhood Council Input:** The subject property is located in Neighborhood Council District 7. The applicant met with the Council on February 8, 2021, to discuss his request. The Council voted unanimously to recommend approval of the Conditional Use Permit. Staff has received a phone call asking what the proposed use would mean for the property but the caller voiced no opinions either way.

**Fiscal Impact:** Approval of the Conditional Use Permit would have no adverse financial impact upon the City of Great Falls. Giving the owner more flexibility to use the property through the Conditional Use process should assist the property in getting a more permanent use.

**Alternatives:** The City Commission could decline to set the public hearing for Resolution 10391 for the conditional use permit. Additionally, the City Commission could deny Resolution 10404. Due process normally requires that the City Commission schedule public hearings to hear requests of this type.

**Concurrences:** Representatives from the City's Public Works, Fire/Rescue, and Building Departments have reviewed the proposal and have no objections to the issuance of the Conditional Use Permit.

**Attachments/Exhibits:**

Resolution 10404 – Intent to Vacate

Resolution 10391

Basis of Decision/Findings of Fact – Conditional Use Permit

Aerial Map

Zoning Map

Applicant Narrative

Petition request for right-of-way vacation

Draft Amended Plat

Exhibit of right-of-way to vacate

# RESOLUTION 10404

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 8<sup>TH</sup> ALLEY SOUTH WITHIN BLOCK 479, GREAT FALLS ORIGINAL TOWNSITE, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-3-4448, MONTANA CODE ANNOTATED AND DIRECTING NOTICE TO BE GIVEN AS PROVIDED BY LAW

\* \* \* \* \*

WHEREAS, the subdivision plat of the Great Falls Original Townsite dedicated a twenty (20) foot wide right-of-way for 8<sup>th</sup> Alley South within Block 479; and,

WHEREAS, Sheffels Farms, Inc., owns the properties on both sides of said right-of-way and has submitted a petition to have said 8<sup>th</sup> Alley South vacated; and,

WHEREAS, it is determined retention of 8<sup>th</sup> Alley South within Block 479 for access by the public is not needed and an easement will suffice to accommodate public and private utilities, both buried and overhead, existing in the Alley; and,

WHEREAS, an Amended Plat of Lots 6-8, Block 479, Great Falls Original Townsite as well as the vacated right-of-way, shall be prepared which reflects the requested vacated right-of-way; and,

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

That Tuesday, the 15<sup>th</sup> day of June, 2021, at 7:00 P.M. in the Commission Chambers of the Civic Center, Great Falls, Montana, is hereby set as the time and place at which the City Commission shall hear all persons relative to the proposed vacation of 8<sup>th</sup> Alley South within Block 479, Great Falls Original Townsite; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that the City Clerk of the City shall forthwith cause notice of this Resolution to be: (1) published in the Great Falls Tribune, the newspaper published nearest such land, and (2) posted to the Great Falls Civic Center posting board and the Great Falls City website.



PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,  
on this 18<sup>th</sup> day of May, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara Sexe, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Resolution 10404 in two conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Great Falls City website

\_\_\_\_\_  
Lisa Kunz, City Clerk

(CITY SEAL)

# RESOLUTION 10391

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW “CONTRACTOR YARD, TYPE II” LAND USE UPON A PARCEL OF LAND ADDRESSED AS 214 7<sup>TH</sup> AVENUE SOUTH, AND LEGALLY DESCRIBED AS LOTS 5-10, BLOCK 479, GREAT FALLS ORIGINAL TOWNSITE CASCADE COUNTY, MT.

\* \* \* \* \*

WHEREAS, the City of Great Falls has been petitioned to approve a Conditional Use Permit to allow for the establishment of a “Contractor Yard, Type II” land use upon the property legally described as Lots 5-10, Block 479 of the Great Falls Original Townsite, Cascade County, Montana (subject property); and,

WHEREAS, the subject property is presently zoned M-2 Mixed-use transitional, wherein a "Contractor Yard, Type II" land use is permitted upon receiving approval of a Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit for the establishment of a “Contractor Yard, Type II” land use upon the subject property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF) Section 17.16.36.040; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on February 23, 2021 to consider said Conditional Use Permit application and, at the conclusion of said hearing, passed a motion recommending a Conditional Use Permit for a “Contractor Yard, Type II” land use be granted by the City Commission for the subject property, subject to the following conditions:

## CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT

1. **Subsequent Modifications and Additions:** If, after establishment of the conditional use, the owner proposes to expand or modify the use, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. **Abandonment:** If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
3. **General Code Compliance:** The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
4. **Acceptance of Conditions:** No Safety Inspection Certificate shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.
5. **Site Improvements:** The existing fence shall have, at the minimum, slats installed to screen the use from the public outside the property. The portion of the fence that is located on City Right-of-Way shall be moved to the property line.

WHEREAS, the City Commission having allowed for proper public notice, conducted a public hearing to consider said application, and considered the comments and recommendations made by the Zoning Commission.

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

That a Conditional Use Permit be granted for a “Contractor Yard, Type II” land use at the property addressed as 214 7<sup>th</sup> Avenue South, Great Falls, Montana, and legally described as Lots 5-10, Block 479 of the Great Falls Original Townsite, T20N, R3E, PMM, Cascade County, Montana, conditioned upon the owner complying with the conditions listed herein; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that, pursuant to the Official Code of the City of Great Falls (OCCGF) 17.16.36.090, the permit shall be considered a covenant that runs with the land and shall be binding on all subsequent

property owners. Additionally, pursuant to OOCGF 17.16.36.100, the Conditional Use Permit shall expire one (1) year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion. If the Conditional Use is established, but ceases to operate for more than six (6) months, the Conditional Use Permit shall expire.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION 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 June 15, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara Sexe, City Attorney



## **CONDITIONAL USE PERMIT - BASIS OF DECISION**

The applicant is requesting the approval of a Conditional Use Permit (CUP) for Contractor Yard, Type II in the M-2 district.

**1. The zoning and conditional use is consistent with the City's Growth Policy and applicable neighborhood plans, if any.**

The proposed conditional use is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. Allowing for the establishment of a contracting business on a property that has long been vacant will help stabilize the area and fulfill the following objectives from the City's Growth Policy:

Phy 4.1 – Encourage a balanced mix of land uses through-out the City.

Phy 4.1.5 –Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure.

Eco 3.5 – Continue efforts to support and develop small businesses in Great Falls.

**2. 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.**

The CUP would have no detrimental impact upon the health, safety, morals, comfort or general welfare of the community. The subject property has historically seen uses that are industrial in nature for almost 70 years. The applicant has also agreed to screen the interior of the property from the general public by adding privacy slats to the 6-foot high chain link fence that currently surrounds the property.

**3. The conditional use 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 conditional use will not be injurious. The property is surrounded by M-2 zoning and non-residential land uses on three sides. The land use designation of Mixed-Use Transitional supports the transition over time from a once-thriving industrial, railroad corridor with large tracts of land and large warehouse-type structures to a blend of light-industrial businesses, professional services, and other compatible uses.

The future contractor yard activity on the property will also be buffered adequately from the residentially zoned area to the east by the applicant's proposal to provide screening slats into the existing 6-foot high chain-link fence to help protect views from the general public outside of the property. This conditional use will not adversely impact the use, enjoyment or property value of any property in the immediate vicinity.

4. **The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The proposed project will not impede the normal and orderly development and improvement of surrounding properties. There are no vacant lots in the immediate vicinity of the Subject Property. Adjacent property owners have been notified regarding the project. City Staff did receive a call from a neighbor with questions regarding how a "Contractor Yard, Type II" is defined by the Official Code of the City of Great Falls.

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

The facility is existing and currently has services and infrastructure that meet all City standards. The subject property will only be used to store construction vehicles and related materials within its boundaries but if, in the future services are needed, there are adequate City services to facilitate more development of the Subject Property.

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

The property and its proposed use have existing functioning ingress and egress. Existing driveway accesses are located on 7<sup>th</sup> Avenue South and 3<sup>rd</sup> Street South.

7. **The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.**

The proposed project will conform to all the applicable regulations of the Land Development Code. The applicant is not proposing any new building on the property at this time.


## EXHIBIT A



 Parcel selection

 City Limits

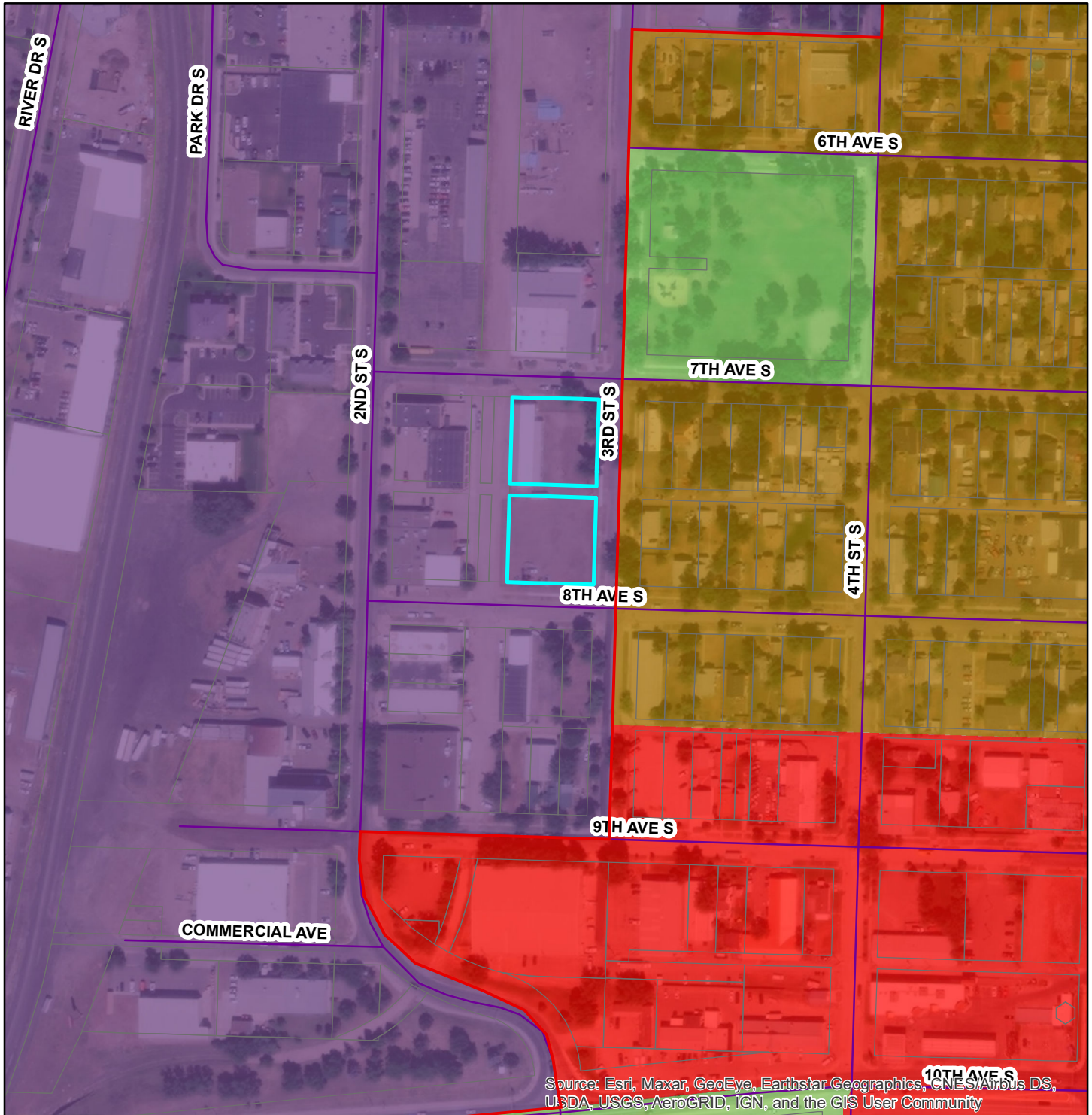
180 90 0 180 Feet



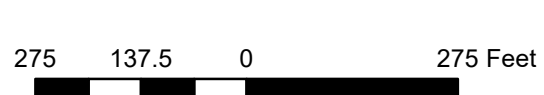


# ZONING MAP

Agenda #14.



- R-9 Mixed Residential
- C-2 General Commercial
- M-2 Mixed-use Transitional
- POS Parks and Open Space







Sheffels Farms, Inc.  
CUP application – Site Plan  
Add Dark Brown screening to existing  
Chain link fence (outlined in black)



## **SHEFFELS FARMS, Inc.**

PO Box 1545 Great Falls, MT 59403-1545  
Office: (406) 761-8805 Shop: (406) 761-4882

April 16, 2021

Mayor Bob Kelly & City Commissioners  
City of Great Falls  
PO Box 5021  
Great Falls, MT 59403-5021

Re: Vacate a portion of the alley between 7<sup>th</sup> and 8<sup>th</sup> Avenue South at 3<sup>rd</sup> Street

We, the undersigned, are asking the City Commission of the City of Great Falls to vacate a portion of the alley; the east half of the northern portion of the 8<sup>th</sup> Alley South to the south of lot 6 and the portion of 8<sup>th</sup> Alley South between Lots 7 and 8. The procedure to vacate streets is outlined in the Montana Code Annotated 7-3-4448 and requires a petition in writing of at least the Owners of the lots on the street or alley; and approval by a majority vote of the council. The undersigned represent 100% of the owners.

The alley described is at Cascade County, Montana, PMM, Township 20 North, Range 3 East, Section 12, Block 479 and located between lots 7 and 8. It also includes the north-eastern portion of the alley to the south of Lot 6. All of these lots are owned by Sheffels Farms, Inc. The remainder of this alley in Block 479 has previously been vacated, see attached drawing.

We appreciate your consideration in this matter.

Owners:

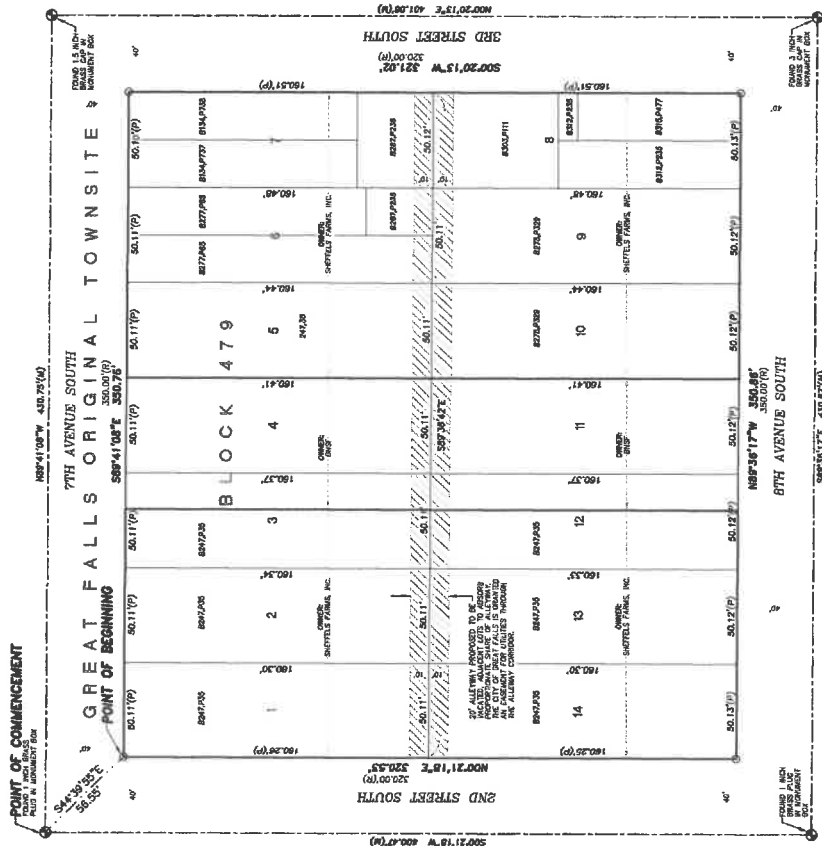
Sheffels Farms, Inc.

Signature:

  
James Sheffels, President

Date:

4/16/21



**ABBREVIATIONS**

(M)	MEASURED DIMENSION
(R)	RECORD DIMENSION
(P)	PROPORTIONED DIMENSION

**RECORD DOCUMENTS**

**CERTIFICATE OF SURVEYOR:**

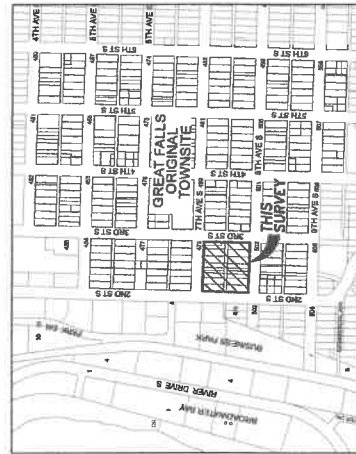
**BASIS OF BEARING**  
THE BEARING SOURCE FOR THIS SURVEY IS BASED ON AN RTK GPS AUTONOMOUS POSITION. THE BEARINGS PRODUCED ARE CONSIDERED ACCURATE NORTH AND ARE AS SHOWN ON THE ACCOMPANYING MAP.

**NOTE:**  
IT IS NOT THE INTENT OF THIS SURVEY TO SHOW ALL EASEMENTS THAT MAY AFFECT THE SUBJECT OR ADJACENT PROPERTIES. NO SEARCH OF THE PUBLIC RECORDS FOR ANY OF ALL EASEMENTS THAT MAY AFFECT THE SUBJECT OR ADJACENT PROPERTIES HAS BEEN CONDUCTED BY THE SURVEYOR. THEREFORE EASEMENTS OF ANY KIND MAY NOT BE SHOWN ON THE ACCOMPANYING MAP.

**CERTIFICATE OF SURVEYOR:**  
 I, MARK LEO PROFESSIONAL ENGINEER AND LAND SURVEYOR, MONTANA REGISTRATION NUMBER 13290  
 DO HEREBY CERTIFY THAT DURING THE MONTH OF MARCH, 2021, THAT I PERSONALLY, OR THAT I WAS  
 ASSISTED BY A PERSON OR PERSONS, DIRECT SUPERVISION, THE SURVEY THAT THE ACCOMPANYING MAP RESEMBLES  
 THE ORIGINAL OF THE SAME, AND THAT THE SAME WAS MADE BY ME OR BY ME AND OTHERS, ALL LICENSED AND  
 REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THAT THE MONUMENTS FOUND AND SET ARE OF THE CHARACTER AND OCCUPY THE  
 POSITIONS SHOWN HEREON.

DATE OF SURVEY: 2021 \_\_\_\_\_

MARK LEO, PROFESSIONAL ENGINEER AND LAND SURVEYOR, UT LICENSE NUMBER 129200'S



T. 20 N., R. 03 E.  
VICINITY MAP

SHEET TITLE: BLOCK 479 ALLEY VACATION	SHEET:		1 OF 1
FILED FOR COMPLETION: 5/24/21	JOB NO./PERMANENT NAME: 21AB/AMM PLAT	DATE OF SUBMITTAL: 4/7/21	3304 12TH AVE. SW P.O. BOX 3000 GRANT FALLS, MT 59403 (406)737-2185 (406)737-3555 FAX (406)737-3556
DOCUMENTS SET:	DESIGNED BY: CSB	CDSB	<b>BIG SKY CIVIL &amp; ENVIRONMENTAL, INC.</b> 1400 E. 10TH AVE. S. SPOKANE, ID 83402 (208) 335-1100 WWW.BIGSKYENV.COM



**CERTIFICATE OF OWNER:**  
I, THE UNDERSIGNED, THE AUTHORIZED REPRESENTATIVE OF GUY TOBACCO CONSTRUCTION, INC., DO HEREBY CERTIFY THAT THE FOLLOWING ARE THE PARCELS OF LAND CAUSED TO BE SURVEYED, AND LOTS AGGREGATED, THE FOLLOWING DESCRIBED REAL PROPERTY TO WIT:

LOTS 1 - 14, BLOCK 478, GREAT FALLS ORIGINAL TOWNSHIP, SITUATED IN THE NW 1/4, SW 1/4 SECTION 12, T. 20 N., R. 3 E., P. 4 M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

**PURPOSE:** CERTIFY THAT THE PURPOSE OF THIS SURVEY IS TO RETRACE AN EXISTING BLOCK FOR THE PURPOSE OF THE VACATION OF AN EXISTING ALLEYWAY. THE ALLEYWAY VACATION DOES NOT CREATE ADDITIONAL LOTS, THEREFORE IS NOT A SUBDIVISION.

STEVE SHEFFELS, AUTHORIZED REPRESENTATIVE OF  
SHEFFELS FARMS, INC.

STATE OF MONTANA)

STATE OF MONTANA) ss: \_\_\_\_\_  
COUNTY OF CASCADE)  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BEFORE ME, THE  
UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, DID PERSONALLY  
APPEAR NEEVA SHEETZ, AUTHORIZED REPRESENTATIVE OF SHEETZ KNOW  
TO ME AND THE PERSONS I JUST EXECUTED THE FOREGOING INSTRUMENT, IN WITNESS  
WHEREOF, I HAVE HEREIN SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THE DAY  
AND YEAR HEREIN ABOVE FIRST WRITTEN.

**NOTARY PUBLIC FOR THE STATE OF MONTANA**

PRINTED NAME:

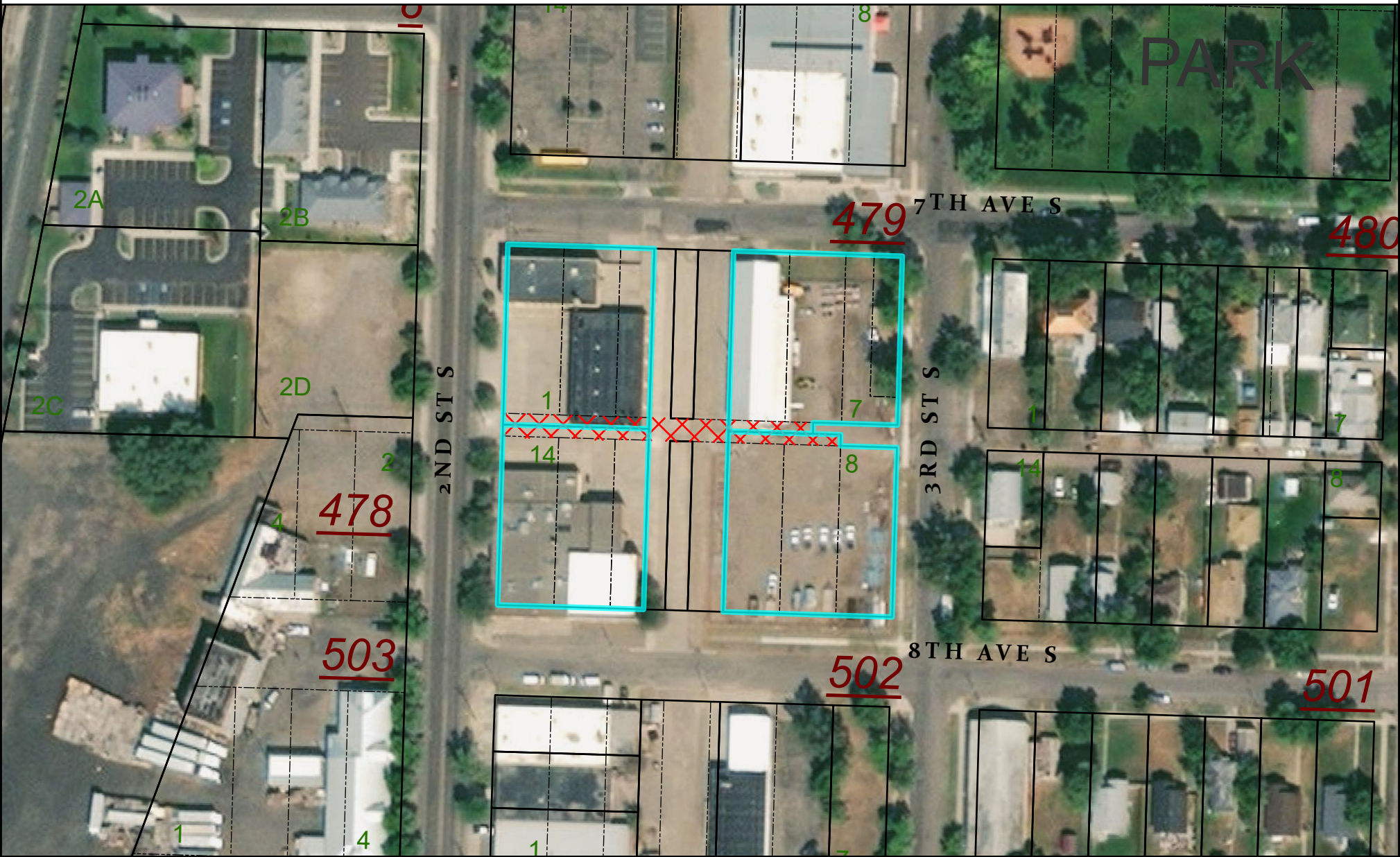
RESIDING AT: —

MY COMMISSION EXPIRES:



# Ordinance 1280

Agenda #14.



## Legend

----- Lot Lines

□ Parcels

XXX Vacated ROW - 1958



Map exhibit is for reference only and is not survey grade. For questions, please contact City of Great Falls Mapping & Addressing.

5/5/2021

0 65 130 260

231

Feet





Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10407 A Resolution by the City Commission of the City of Great Falls, Montana, Amending Resolution 10395, establishing a Crime Task Force to include language pertaining to residency and to increase the number of members from seven to nine.

**From:** Greg Doyon – City Manager

**Initiated By:** City Commission

**Presented By:** Greg Doyon – City Manager

**Action Requested:** Adopt Resolution 10407 amending 10395 to include language pertaining to residency and increasing the membership of the Crime Task Force from seven to nine members.

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10407.”

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

**Background:**

On April 6, 2020, the Commission adopted Resolution 10395 establishing the Great Falls Crime Task Force.

After adoption, City Manager Doyon recommended that two spots on the Task Force be filled by the Chief of Police and the City Attorney. He then requested that the City Commissioners submit candidates to fill the remaining five positions.

There was high community interest to serve on the Task Force. During initial candidate review, the city manager determined that in order to appoint a representative and varied number of community stakeholders, Task Force composition would require additional members. Additionally, it was realized that some key stakeholders worked in Great Falls, but were not residents. Therefore, a recommendation was received to amend the resolution by allowing the appointment of members who do not live in the City but work in the City and have a unique perspective on crime.

In consultation with Commissioner Tryon, the City Manager Doyon proposes to expand the Great Falls Crime Task Force from seven (7) to nine (9) members. As described in Resolution 10395, the Task Force

will study ways to address crime in the community over a period of three to six months, and provide recommendations to the City Manager and the City Commission.

If adopted, Resolution 10407 would increase the Task Force from seven (7) to nine (9) individuals and allow a citizen who works in the community to participate on Task Force. All members should have the necessary background, training, education and experience in social sciences related to crime.

**Alternatives:** The City Commission could chose to modify the Resolution as desired or deny the Resolution.

**Concurrences:** The Police and Legal Departments have been included in initial discussions.

**Attachments/Exhibits:**

Resolution 10407

Resolution 10395

## **RESOLUTION NO. 10407**

### **A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AMENDING RESOLUTION 10395 ESTABLISHING A CRIME TASK FORCE TO INCLUDE LANGUAGE PERTAINING TO RESIDENCY AND TO INCREASE THE NUMBER OF MEMBERS FROM SEVEN TO NINE**

**WHEREAS**, the protection of life and property is amongst the highest priorities of the City of Great Falls; and

**WHEREAS**, the Great Falls City Commission is aware of mounting community concerns about the City's increasing crime rates; and

**WHEREAS**, on April 6, 2021, the Great Falls City Commission adopted Resolution 10395 to empanel a Task Force to make recommendations on how to more effectively address crime in Great Falls; and

**WHEREAS**, after due consideration the City Manager recommends the Commission increase the number of members to be appointed to the Task Force from seven to nine members for greater input and expertise from residents with the necessary background, training, education, and experience in social sciences related to crime.

**WHEREAS**, after due consideration the City Manager recommends the Commission allow members to either reside in the City of Great Falls or that they are employed by a Great Falls business.

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

**SECTION 1:** There is hereby established the Great Falls Crime Task Force (the "Task Force"), an ad hoc committee confirmed by the City Commission. The general purpose of the Task Force shall be to study, review, evaluate, and make recommendations to the City Commission, City Manager, and general public on strategies to address crime. The Committee's findings will include specifics and actionable recommendations that are within the scope, authority, and financial ability of the City Commission, City Manager, and general public.

**SECTION 2:** Members of the Task Force shall be recommended by the City Manager to the City Commission. The City Commission shall confirm the appointments. Task Force members shall receive no compensation. Expectations for attendance and conduct of individual members and the Task Force as a whole shall be the same as those for members of other committees appointed by the City Commission.

**SECTION 3:** The Task Force will consist of nine individuals who are residents of the City of Great Falls or are employed by a Great Falls' business, and who have the necessary background, training, education, and experience in social sciences related to crime. Up to two (2) members of the City Commission shall serve as ex officio members, and shall neither make motions nor cast votes.

**SECTION 4:** Pursuant to Montana's open meeting laws, all meetings of the Task Force shall be properly noticed at least 48 hours in advance of a meeting, include an agenda of topics/items to be discussed, allow for public comment on agenda items and for public comment on items not on the agenda but within the jurisdiction of the Task Force. Appropriate Minutes of all meetings shall be kept and be made available for inspection by the public.

**SECTION 5:** The Task Force members shall select a Chairperson and a Vice-Chairperson. The City Manager shall appoint a staff member to keep all records of the Task Force and take minutes of all meetings, and submit them to the City Clerk. A majority of the membership, not to include ex officio members, shall constitute a quorum. The Task Force shall meet as often as necessary to accomplish its general purpose, as described in Section 1, but not less than once a month.

**SECTION 6:** Members of the Task Force shall comply with the Code of Ethics set forth in Mont. Code Ann. § Title 2, Chapter 2, and the Official Code of the City of Great Falls (OCCGF) Title 2, Chapter 21.

**SECTION 7:** The Task Force shall meet with the goals of having draft recommendations available for public review and comment no later than August 2021, and a final recommendation to present to the City Commission no later than September 2021. The Task Force shall be disbanded and cease to exist after receipt of the recommendations by the City Commission.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon adoption by the City Commission, and that all other conditions set forth in Resolution 10395, adopted April 6, 2021, remain in full force and effect.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, this 18<sup>th</sup> day of May, 2021.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)



APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

## **RESOLUTION NO. 10395**

### **A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ESTABLISHING A CRIME TASK FORCE**

**WHEREAS**, the protection of life and property is amongst the highest priorities of the City of Great Falls; and

**WHEREAS**, the Great Falls City Commission is aware of mounting community concerns about the City's increasing crime rates; and

**WHEREAS**, the City of Great Falls would like to empanel a Task Force to make recommendations on how to more effectively address crime in Great Falls.

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

**SECTION 1:** There is hereby established the Great Falls Crime Task Force (the "Task Force"), an ad hoc committee confirmed by the City Commission. The general purpose of the Task Force shall be to study, review, evaluate, and make recommendations to the City Commission, City Manager, and general public on strategies to address crime. The Committee's findings will include specifics and actionable recommendations that are within the scope, authority, and financial ability of the City Commission, City Manager, and general public.

**SECTION 2:** Members of the Task Force shall be recommended by the City Manager to the City Commission. The City Commission shall confirm the appointments. Task Force members shall receive no compensation. Expectations for attendance and conduct of individual members and the Task Force as a whole shall be the same as those for members of other committees appointed by the City Commission.

**SECTION 3:** The Task Force will consist of seven individuals who are residents of the City of Great Falls and who have the necessary background, training, education, and experience in social sciences related to crime. Up to two (2) members of the City Commission shall serve as ex officio members, and shall neither make motions nor cast votes.

**SECTION 4:** Pursuant to Montana's open meeting laws, all meetings of the Task Force shall be properly noticed at least 48 hours in advance of a meeting, include an agenda of topics/items to be discussed, allow for public comment on agenda items and for public comment on items not on the agenda but within the jurisdiction of the Task Force. Appropriate Minutes of all meetings shall be kept and be made available for inspection by the public.

**SECTION 5:** The Task Force members shall select a Chairperson and a Vice-Chairperson. The City Manager shall appoint a staff member to keep all records of the Task Force and take

minutes of all meetings, and submit them to the City Clerk. A majority of the membership, not to include ex officio members, shall constitute a quorum. The Task Force shall meet as often as necessary to accomplish its general purpose, as described in Section 1, but not less than once a month.

**SECTION 6:** Members of the Task Force shall comply with the Code of Ethics set forth in Mont. Code Ann. § Title 2, Chapter 2, and the Official Code of the City of Great Falls (OCCGF) Title 2, Chapter 21.

**SECTION 7:** The Task Force shall meet with the goals of having draft recommendations available for public review and comment no later than August 2021, and a final recommendation to present to the City Commission no later than September 2021. The Task Force shall be disbanded and cease to exist after receipt of the recommendations by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney



Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**\*REVISED\***

**Item:** Great Falls Crime Task Force Nominees

**From:** Greg Doyon – City Manager

**Initiated By:** City Commission

**Presented By:** Greg Doyon – City Manager

**Action Requested:** Confirm Nominees to the Great Falls Task Force

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (confirm/not confirm) the City Manager’s nominees to the Great Falls Crime Task Force:

1. Mary Lynne Billy – Indian Family Health Clinic
2. Shawna Jarvey – Transition Consultant, Benefis Health
3. Nicole Griffith Crosby – Victim Witness Program
4. Sandra Guynn – Chair of Neighborhood Council of Councils and President of Crime Stoppers
5. Sara Sexe – City Attorney
6. Jeff Newton – Chief of Police
7. Jesse Slaughter – Cascade County Sheriff
8. John Parker – District Court Judge
9. Shane Etzwiler – Chamber of Commerce”

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

**Staff Recommendation:** Confirm nominees to the Great Falls Crime Task Force.

**Summary:** Pursuant to Resolution 10395, the City Manager was asked to advance names of members for the Great Falls Crime Task Force. Manager Doyon nominated two: City Attorney Sara Sexe and Chief of Police, Jeff Newton. Manager Doyon asked Commissioners to also submit nominees for consideration by the City Commission.

**Fiscal Impact:** Staff time and limited supplies as needed.

**Alternatives:** Nominate new members.

**Attachments/Exhibits:** Resolution 10407



**RESOLUTION NO. 10407****A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AMENDING RESOLUTION 10395 ESTABLISHING A CRIME TASK FORCE TO INCLUDE LANGUAGE PERTAINING TO RESIDENCY AND TO INCREASE THE NUMBER OF MEMBERS FROM SEVEN TO NINE**

**WHEREAS**, the protection of life and property is amongst the highest priorities of the City of Great Falls; and

**WHEREAS**, the Great Falls City Commission is aware of mounting community concerns about the City's increasing crime rates; and

**WHEREAS**, on April 6, 2021, the Great Falls City Commission adopted Resolution 10395 to empanel a Task Force to make recommendations on how to more effectively address crime in Great Falls; and

**WHEREAS**, after due consideration the City Manager recommends the Commission increase the number of members to be appointed to the Task Force from seven to nine members for greater input and expertise from residents with the necessary background, training, education, and experience in social sciences related to crime.

**WHEREAS**, after due consideration the City Manager recommends the Commission allow members to either reside in the City of Great Falls or that they are employed by a Great Falls business.

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

**SECTION 1:** There is hereby established the Great Falls Crime Task Force (the "Task Force"), an ad hoc committee confirmed by the City Commission. The general purpose of the Task Force shall be to study, review, evaluate, and make recommendations to the City Commission, City Manager, and general public on strategies to address crime. The Committee's findings will include specifics and actionable recommendations that are within the scope, authority, and financial ability of the City Commission, City Manager, and general public.

**SECTION 2:** Members of the Task Force shall be recommended by the City Manager to the City Commission. The City Commission shall confirm the appointments. Task Force members shall receive no compensation. Expectations for attendance and conduct of individual members and the Task Force as a whole shall be the same as those for members of other committees appointed by the City Commission.

**SECTION 3:** The Task Force will consist of nine individuals who are residents of the City of Great Falls or are employed by a Great Falls' business, and who have the necessary background, training, education, and experience in social sciences related to crime. Up to two (2) members of the City Commission shall serve as ex officio members, and shall neither make motions nor cast votes.

**SECTION 4:** Pursuant to Montana's open meeting laws, all meetings of the Task Force shall be properly noticed at least 48 hours in advance of a meeting, include an agenda of topics/items to be discussed, allow for public comment on agenda items and for public comment on items not on the agenda but within the jurisdiction of the Task Force. Appropriate Minutes of all meetings shall be kept and be made available for inspection by the public.

**SECTION 5:** The Task Force members shall select a Chairperson and a Vice-Chairperson. The City Manager shall appoint a staff member to keep all records of the Task Force and take minutes of all meetings, and submit them to the City Clerk. A majority of the membership, not to include ex officio members, shall constitute a quorum. The Task Force shall meet as often as necessary to accomplish its general purpose, as described in Section 1, but not less than once a month.

**SECTION 6:** Members of the Task Force shall comply with the Code of Ethics set forth in Mont. Code Ann. § Title 2, Chapter 2, and the Official Code of the City of Great Falls (OCCGF) Title 2, Chapter 21.

**SECTION 7:** The Task Force shall meet with the goals of having draft recommendations available for public review and comment no later than August 2021, and a final recommendation to present to the City Commission no later than September 2021. The Task Force shall be disbanded and cease to exist after receipt of the recommendations by the City Commission.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon adoption by the City Commission, and that all other conditions set forth in Resolution 10395, adopted April 6, 2021, remain in full force and effect.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, this 18<sup>th</sup> day of May, 2021.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney



Commission Meeting Date: May 18, 2021

**CITY OF GREAT FALLS**  
**COMMISSION AGENDA REPORT**

**Item:** Appointments, Great Falls Citizen's Council

**From:** City Commission

**Initiated By:** City Commission

**Presented By:** City Commission

**Action Requested:** Appoint two members of the City Commission to serve on the Great Falls Citizen's Council for the May 25, 2021 meeting.

**Suggested Motion:**

1. Mayor moves:

"I move that the City Commission appoint \_\_\_\_\_ and \_\_\_\_\_ to serve on the Great Falls Citizen's Council also known as Council of Councils for the May 25, 2021 meeting."

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

**Staff Recommendation:** It is recommended that the Mayor appoint two members from the City Commission to serve as the Commission's representatives for the Great Falls Citizen's Council in accordance with Title 2, Chapter 19, Section 090 the Official Code of the City of Great Falls (OCCGF).

**Summary:** Pursuant to the Charter of the City of Great Falls, the Neighborhood Council program was established by Ordinance 2727 in 1997. There are nine separate Council districts throughout Great Falls.

**Background:** The Great Falls Citizen's Council was created to act as a forum to address issues of community wide concern and resolve disputes among the individual neighborhood councils. The members are comprised of one member from each neighborhood council and two members of the City Commission who shall be appointed by the Mayor. The council meets three times a year, usually in January, May and October. The May meeting is scheduled for May 25, 2021 at 7:00 PM in the Gibson Room of the Civic Center.