



**Planning Advisory Board/Zoning Commission
December 10, 2019 Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
3:00 PM**

OPENING MEETING

1. Call to Order 3:00 P.M.
2. Roll Call - Board Introductions
Peter Fontana- Chair
Michael Wedekind- Vice Chair
Dave Bertelsen
Kelly Buschmeyer
Anthony Houtz
Tory Mills
Charles Pankratz
Samantha Shinaberger
3. Recognition of Staff
4. Approval of Meeting Minutes - November 12, 2019

BOARD ACTIONS REQUIRING PUBLIC HEARING

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

5. Resolution 10323, "A Resolution Declaring that the Great Falls Planning Advisory Board and Zoning Commission Shall Consist of Seven (7) Members."
6. Recommendation to City Commission to reappoint Michael Wedekind for one term and Charles Pankratz for two terms.

COMMUNICATIONS

7. Next Meeting Agenda - Tuesday, January 7, 2020

PUBLIC COMMENT

Public Comment on any matter and that is within the jurisdiction of the Planning Advisory Board/Zoning Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and address for the record.

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.

Planning Advisory Board/Zoning Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Thursday at 7 p.m.

**MINUTES OF THE MEETING
OF THE
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
November 12, 2019**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Pete Fontana at 3:00 p.m. in the Commission Chambers of the Civic Center.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Peter Fontana, Chair
Michael Wedekind, Vice Chair
Dave Bertelsen
Kelly Buschmeyer
Tory Mills
Charles Pankratz
Samantha Shinaberger

Planning Board Members absent:

Anthony Houtz

Planning Staff Members present:

Erin Borland, Planner III
Andrew Finch, Senior Transportation Planner
Lonnie Hill, Planner I
Alaina Mattimiro, Planner I
Tom Micuda, Deputy Director P&CD
Jamie Nygard, Sr. Admin Assistant

Other Staff present:

Joseph Cik, Assistant City Attorney
Lisa Kunz, City Clerk
Jim Rearden, Public Works Director
Jim Young, Acting City Engineer

Mr. Micuda affirmed a quorum of the Board was present.

MINUTES

Chair Pete Fontana asked if there were any comments or corrections to the minutes of the meeting held on September 24, 2019. Seeing none, Ms. Shinaberger moved to approve the minutes. Mr. Wedekind seconded, and all being in favor, the minutes were approved.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

Central Montana Agriculture and Technology Park (CMATP) TIF Funding Application

Ms. Mattimiro, Planner I, explained to the board that the City of Great Falls Public Works Department has submitted an application for TIF (Tax Increment Finance) funding through the Central Montana Agriculture and Technology Park TIF District. She explained that if the application is approved that they would use the funds for construction of a new storm drain that will service the TIF District. Ms. Mattimiro went over the TIF District's goal to foster economic vitality and increase employment opportunities through infrastructure development, provide support for industries that preserve the quality of life for residents, assure the industrial development activities reflect the City's commitment to the stewardship of its agricultural and natural resources, encourage secondary, value adding industries, and facilitate the investment in a site suitable for industrial development.

Ms. Mattimiro stated that in order for the City to be able to reach these goals, infrastructure investments for water, sewer, roads, utilities, and now storm drain need to be addressed. Ms. Mattimiro stated that the TIF district is located between Highway 87 and Black Eagle Road, and Great Bear Avenue bisects through the district. She stated that currently, Malt Europe, Cargill, ADF International, and TNK Performance all have a presence in the TIF District. She said that one of the current infrastructure issues is the amount of surface erosion, due to storm water runoff. So in order to be able to protect current and any future development, this issue will need to be addressed.

Ms. Mattimiro said that the new storm drain will service not only the TIF District, but the surrounding area. She said that the Public Works Department has been working with TD-&H to put plans together for the project. If the application is approved, the project will start in the winter or early spring. She stated that for every TIF application that comes in, there needs to be a determination that the proposed project fits the applicability for funding, so in addition to the State's guidelines, she did present the twelve criteria for the Planning Board's review of funding requests to assess the merits of the project. These are the findings of facts that are then the basis of decision for approving funding requests.

The staff has reviewed the twelve criteria and found that the benefits of the storm drain will not only benefit the current businesses but will support future development. It relieves the existing businesses and property owners from having to shoulder the cost of the project themselves and at the same time it will reduce initial infrastructure costs for development to come. That will create a lot of potential for vacant lots that are located within the TIF district to develop in the future. She did state that after reviewing the twelve criteria, staff is recommending approval for the City of

Great Falls, Public Works Department's application for the Central Montana Agriculture and Technology Park TIF Funding.

Mr. Fontana asked if it was usual for the City to be the applicant for the TIF Funding or if it was a conflict of interest. Mr. Cik replied that there is not a conflict of interest. Mr. Micuda also added that the City has been an applicant for TIF funds in the past. This project is benefiting the whole TIF. Jim Young stated that the project is going out for bid on December 4th.

Mr. Wedekind asked what the first criteria meant in the review process. Mr. Micuda responded that the project relieves the developer from having to do an area wide storm water project. The individual lot developers still have to convey the storm water to tie into the system. Essentially this project is the backbone for the overall storm water conveyance system in the TIF district.

Mr. Pankratz asked if this TIF money is all from this TIF district. Mr. Micuda did respond that yes it has all been accumulated due to incremental taxes generated by the existing businesses. They are going to plan on leveraging this money to get additional money from the state. Mr. Pankratz also asked if anybody else could use this money, and Mr. Micuda stated that nobody else outside of this district, could use it.

PETITIONER'S PRESENTATION

No additional comments were made.

PUBLIC QUESTION AND ANSWER SESSION

There were no questions from the public.

PUBLIC COMMENT

There were no proponents or opponents of the project.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board recommend the City Commission approve the City of Great Falls Public Works Department request for Central Montana Agriculture and Technology Park Tax Increment Financing District funds to assist with public storm drainage improvements.

Made by: Ms. Shinaberger
Second: Ms. Buschmeyer

VOTE: All in favor, the motion carried.

Section 5303 Federal Transit Administration Funding Contracts with the Montana Department of Transportation and the Great Falls Transit District

Mr. Finch, Senior Transportation Planner, explained to the board that annually, the City's MPO receives Federal Transit Authority planning funds and passes them on to the Transit District for

transit planning activities. The two agreements that were presented in the agenda packet, formalize that transfer. Mr. Finch stated that on August 27, 2019, the Planning Advisory Board approved the Federal Fiscal Year 2020 Unified Planning Work Program (UPWP). The UPWP outlines work activities the Great Falls Transit District will undertake with those funds. The funds are \$116,202 in Federal Section 5303 funds, and \$29,050 in required matching funds from GFTD. The Transit District will use the planning funds for Administration (\$19,055.00), Service Planning and Assessment (\$64,397), Service Enhancement (\$13,390), and Americans with Disabilities Act Implementation (\$48,410). Every five years or so, they do a ridership assessment so, they are going to hire a consultant to do a ridership survey to figure out where people are going, what their economic status is, how long they ride on the bus, and how often they ride on it.

Mr. Wedekind asked if this would need to go to the City Commission, and Mr. Finch explained that this is one of the few Planning Board items that only needs to go through the Board.

Mr. Mills asked if the survey would be published anywhere, and Mr. Finch said that he did not know that answer, but would find out.

PETITIONER'S PRESENTATION

None present

PUBLIC QUESTION AND ANSWER SESSION

There were no questions from the public.

PUBLIC COMMENT

There were no proponents or opponents of the project.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board approve the Section 5303 Contract with the Montana Department of Transportation and the Great Falls Transit District.

Made by: Mr. Wedekind

Second: Mr. Mills

VOTE: All in favor, the motion carried.

COMMUNICATIONS

Board Discussion regarding reducing membership from nine members to seven members

Mr. Cik did let the board know that seven is the minimum number of members that can be on the Planning Advisory Board/Zoning Commission in accordance with state code. City code does allow between seven and nine members.

Chairman Fontana did also ask about the attendance policy and Mr. Cik responded that the board members must attend at least two thirds of the meetings, otherwise they could be subject to potential removal by the City Commission. Chairman Fontana stated that Mr. VanWorth did resign from the board and Mr. Micuda did explain that Mr. Houtz terms out at the end of the year. He also stated that Mr. Wedekind and Mr. Pankratz are eligible for additional terms. Mr. Fontana stated that the board could make a recommendation to reduce membership based on the discussion. If that is approved, the board would have a formal resolution drawn up by Mr. Cik and then there could be a public hearing on the matter and the public could comment.

MOTION: That the Planning Advisory Board/Zoning Commission have a formal resolution drawn up to recommend to the City Commission that the Planning Advisory Board/Zoning Commission membership be reduced to seven effective January 1, 2020.

Made by: Mr. Pankratz
Second: Mr. Bertelsen

VOTE: All in favor, the motion carried.

2020 Election of Officers

MOTION: That Mr. Fontana retain the Chair for his remaining term.

Made by: Ms. Shinaberger
Second: Mr. Wedekind

VOTE: All in favor, the motion carried.

MOTION: That Mr. Wedekind continue as Vice Chair for 2020.

Made by: Mr. Fontana
Second: Ms. Shinaberger

VOTE: All in favor, the motion carried.

Next Meeting Agenda – Tuesday, December 10, 2019

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business, Chair Pete Fontana adjourned the meeting at 4:02 p.m.

CHAIRMAN

SECRETARY



Agenda #: 1
Commission Meeting Date: December
10, 2019

CITY OF GREAT FALLS

PLANNING ADVISORY BOARD / ZONING COMMISSION AGENDA REPORT

Item: Resolution 10323, “A Resolution Declaring that the Great Falls Planning Advisory Board and Zoning Commission Shall Consist of Seven (7) Members.”

From: Legal Department

Initiated By: Planning and Community Development

Presented By: Joseph Cik, Assistant City Attorney

Action Requested: Recommend the City Commission adopt Resolution 10323.

Suggested Motion:

1. Board Member moves:

“I move that the Planning Advisory Board and Zoning Commission recommend that the City Commission adopt Resolution 10323.”

2. Board Member calls for a second, discussion, and calls for the vote.

Background:

On multiple occasions over the last several years the Great Falls Planning Advisory Board and Zoning Commission (the Board) has had problems convening a quorum of its current membership. Additionally, one member has recently resigned from the Board, and an additional member will term off the Board at the end of 2019.

To address these issues, and to provide flexibility when it comes to Board membership, the City Commission adopted Ordinance 3205 on October 1, 2019. Ordinance 3205 amended the Official Code of the City of Great Falls (OCCGF) § 17.12.1.040 pertaining to the Board’s membership. Previously, OCCGF § 17.12.1.040 provided that the Board would consist of nine members. With the adoption of Ordinance 3205, the Board now may consist of between seven and nine members. The number of members cannot be lower than seven to be consistent with State law. The Resolution under consideration would set the number of Board members at seven.

On November 12, 2019, the Board voted unanimously directing staff to draft the Resolution under consideration for the Board’s recommendation. Staff is now requesting that the Board formally vote on a recommendation that the City Commission adopt Resolution 10323. By lowering the number of Board members to seven, Staff is confident issues with establishing a quorum will be resolved and no new appointees to vacant membership positions will need to be filled at this time.

Concurrences:

City Manager's Office
Planning and Community Development
City Clerk's Office

Fiscal Impact:

None

Staff Recommendation:

The Board recommend that the City Commission adopt Resolution 10323.

Alternatives:

The Board could vote to not recommend that the City Commission adopt Resolution 10323.

Attachments/Exhibits:

Resolution 10323

RESOLUTION NO. 10323

**A RESOLUTION DECLARING THAT THE GREAT FALLS
PLANNING ADVISORY BOARD AND ZONING
COMMISSION SHALL CONSIST OF SEVEN (7) MEMBERS.**

WHEREAS, the Great Falls City Commission adopted Ordinance 3205 October 1, 2019 amending portions of the Great Falls Land Development Code; and

WHEREAS, Ordinance 3205 amended the Title 17, Chapter 12 of the Official Code of the City of Great Falls pertaining to Administrative and Enforcement Bodies; and

WHEREAS, Ordinance 3205 established that the Great Falls Planning Advisory Board and Zoning Commission shall consist of between seven (7) and (9) members; and

WHEREAS, the City Commission wishes to officially establish the number of members of the subject Board and cure problems establishing a quorum of the subject Board; and

WHEREAS, the Great Falls Planning Advisory Board and Zoning Commission voted to recommend that the City Commission adopt Resolution 10323 on December 10, 2019.

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

- 1) The Great Falls Planning Advisory Board and Zoning Commission shall consist of seven (7) members.
- 2) This Resolution is effective January 1, 2020.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, December 17, 2019.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Joseph Cik, Assistant City Attorney