



**City Commission Meeting Agenda  
2 Park Drive South, Great Falls, MT  
Commission Chambers, Civic Center  
October 01, 2024  
7:00 PM**

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

Public participation is welcome in the following ways:

- Attend in person.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Clerk, PO Box 5021, Great Falls, MT 59403, or via email to: [commission@greatfallsmt.net](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.

**Meeting Decorum Statement**

1. Members of the public shall address their comments to the presiding officer and the Commission as a body and not to any individual member of the Commission or City staff.
2. Speakers shall keep their comments germane to the subject item on the agenda or, during petitions and communications, matters of significant public interest which are within the jurisdiction of the Commission.
3. Be respectful and do not engage in disorderly or boisterous conduct, including but not limited to applause, booing, or making any remarks that are, threatening, profane, abusive, personal, or slanderous that disturbs, disrupts, or otherwise impedes the orderly conduct of our meeting.
4. Signs, placards, banners, or other similar items shall not be permitted in the audience during our City Commission meeting.
5. Remain seated, unless addressing the body at the podium or entering or leaving the meeting. Private or informal conversations may occur outside of the Chambers. Obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.
6. A complete copy of Rule 10 pertaining to the public participation is available on the table in the Commission Chambers and is included with the Meeting posting on the City's Website.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL / STAFF INTRODUCTIONS**

**AGENDA APPROVAL**

**CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS**

## MILITARY UPDATES

1. Miscellaneous Reports and announcements from Montana Air National Guard.

## PETITIONS AND COMMUNICATIONS

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

2. Miscellaneous reports and announcements.

## NEIGHBORHOOD COUNCILS

3. Miscellaneous reports and announcements from Neighborhood Councils.

## BOARDS AND COMMISSIONS

4. Miscellaneous reports and announcements from Boards and Commissions.

## CITY MANAGER

5. Miscellaneous reports and announcements from City Manager.

## CONSENT AGENDA

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

6. Minutes, September 17, 2024, City Commission Meeting.
7. Total Expenditures of \$5,583,043 for the period of September 5, 2024 through September 18, 2024, to include claims over \$25,000, in the amount of \$4,928,278.
8. Contracts List.

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

## PUBLIC HEARINGS

9. Resolution 10562 to amend Planning and Community Development Land Development Application Fees associated with Title 17 to include a new fee for a Zoning Verification Letter. *Action: conduct a public hearing and adopt or deny Res 10562 (Presented by Brock Cherry)*

## OLD BUSINESS

## NEW BUSINESS

10. Fire Station Infrastructure Renovations Change Order #2. *Action: Approve or deny Change Order #2, to James Talcott Construction, Inc. for the Fire Station Infrastructure Renovations Project, in the amount of \$14,540.94 utilizing American Rescue Plan Act funds, and authorize the City Manager to execute the contract documents. (Presented by Sylvia Tarman)*

## **ORDINANCES / RESOLUTIONS**

11. A. Resolution 10563 to amend Planning and Community Development Land Development Application Fees pertaining to Title 5 to include a License Verification fee, a fee increase for a Home Occupation Certificate, and rescinding Resolution 9711. *Action: Set or not set a public hearing for October 15, 2024 (Presented by Brock Cherry)*

B. Ordinance 3270 to Repeal Title 5, Chapter 3, Article 1 of the Official Code of the City of Great Falls (OCCGF) Pertaining to Mechanically-Operated Devices Depicting Sexual Activities. *Action: Accept or deny Ord. 3270 on first reading and set or not set a public hearing for October 15, 2024 (Presented by Brock Cherry)*

## **CITY COMMISSION**

12. Miscellaneous reports and announcements from the City Commission.

13. 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**  
**September 17, 2024**

Regular City Commission Meeting

Mayor Reeves presiding  
 Commission Chambers, Room 206

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Cory Reeves, Joe McKenney, Rick Tryon, and Shannon Wilson. Commissioner Susan Wolff was excused. Also present were City Manager Greg Doyon, Public Works Director Chris Gaub, Planning and Community Development Deputy Director Lonnie Hill, Finance Director Melissa Kinzler, City Attorney David Dennis, Deputy Chief – EMS Jeremy Virts, Police Chief Jeff Newton, and City Clerk Lisa Kunz.

**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.

**PETITIONS AND COMMUNICATIONS**

1. **Sandy Rice**, City resident, discussed low literacy skills being a common factor among individuals in custody in the United States. She inquired why the City Commission would reallocate funds from the Library to undetermined safety programs. The Library's youth outreach programs are safety programs. The Library's two safety specialists are trained in de-escalation techniques. Since their hiring, police calls to the Library have dropped dramatically.

**Gerry Jennings**, City resident, commented that she doesn't believe it is just to take away money that people voted to give to the Library. She recommended that the City Commission members attend the Library programs and to go for a walk to see the children's stories in Gibson Park. She urged the Commission to not remove money from the Library.

**Bill Tacke**, City resident, discussed the history and funding support of the Library since 1892, including the City's agreement to provide at least 7 mills, and the subsequent 2 mills and 15 mills approved by the voters. To take away the 7 mills now comes across to the voters as a "bait and switch." He urged the Commission to consider the Library Board's alternative proposal of 4 ½ mills per year of funding instead of 7 mills.

**NEIGHBORHOOD COUNCILS**

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**BOARDS AND COMMISSIONS**

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Lenore Harris**, City County Health Department, provided dates and times for walk-in flu and

**JOURNAL OF COMMISSION PROCEEDINGS**  
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Covid-19 shot clinics, beginning September 18<sup>th</sup> to October 25<sup>th</sup>.

**CITY MANAGER**

**4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon made the following announcements:

- Brian Black was promoted to the rank of captain at the Great Falls Police Department to oversee the Investigations Bureau.
- Matt Fleming was promoted to the rank of lieutenant at the Great Falls Police Department and will be assigned to the training office.
- The Utility Department payment software that has been in transition over the last several months is complete. Citizens can now access the portal to view and print their bills, as well as make payments, enroll in e-billing, schedule future payments or set up an auto-pay using a debit or credit card.
- With regard to water billing, there is usually a two-week period between when the meter is read and the customer is billed. The service days for billing range from 23 to 37 days. When a customer's monthly usage goes over 600 cf, there is an increase in the cost per 100 cf. Customers that have water bill questions are encouraged to contact the Finance Department at 406.727.7660.
- Public Works Environmental Division partnered with Veolia to hold a household hazardous waste collection event on September 14 to avoid those products going in the landfill. They collected 165 gallons of hazardous waste, six propane tanks, batteries and electronics. The next event will be in April 2025.

Commissioner Tryon commented that, if a customer uses 600 cf of water per month the rate is \$2.23, and if the 600 cf of water is exceeded the rate goes up to \$3.73 per 100 cf. For future consideration, he asked if it would be possible to do an incremental increase instead of the jump of \$1.50 per 100 cf if 600 cf is exceeded.

Director Kinzler responded that a rate study was conducted in FY 2018 and 600 ccf was determined to be the break-even point for essential uses. Changes can be looked at during the annual rate review.

**CONSENT AGENDA.**

5. Minutes, September 3, 2024, City Commission Meeting.
6. Total Expenditures of \$2,058,736 for the period of August 22, 2024 through September 4, 2024, to include claims over \$25,000, in the amount of \$1,446,653.
7. Contracts List.

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- 8. Approve a construction contract in the amount of \$365,105.00 to Olympus Technical Services, for the Missouri River North Bank Stabilization, Phase 2. **OF 1693.1**
- 9. Set a public hearing for October 1, 2024 on Resolution 10562, Amending Land Development Application Fees associated with Title 17 of the Official Code of the City of Great Falls (OCCGF) to include a new fee for a Zoning Verification Letter.

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

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

Motion carried 4-0.

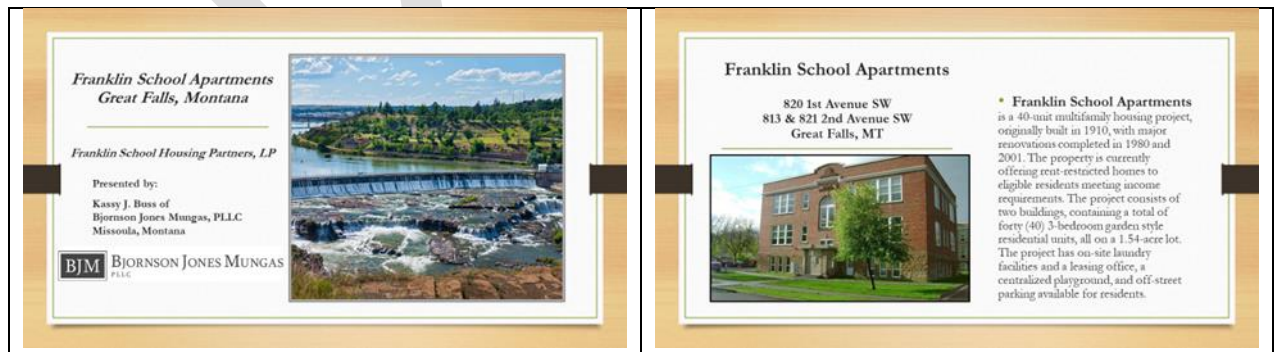
**PUBLIC HEARINGS**

**10. FRANKLIN SCHOOL APARTMENTS (MULTIFAMILY) AFFORDABLE HOUSING PROPOSAL.**

Mayor Reeves opened the public hearing and asked for presentation of the agenda report.

Kassy Buss, Bjornson Jones Mungas PLLC, reported that Franklin School Partners, LP, is applying for Low-Income Housing Tax Credits (“LIHTCs”) from the Montana Board of Housing to finance the preservation of Franklin School Apartments as affordable housing, and is planning to apply for the exemption from real property taxes available to qualifying low-income housing tax credit projects under Mont. Code Ann. § 15-6-221. As a part of the requirements related to such applications, Franklin School Partners, LP, is required to solicit public comment on whether the proposed qualifying low-income rental housing property meets a community housing need. This is the public’s opportunity to comment on the proposal.

Ms. Buss reviewed and discussed the following PowerPoint slides about the proposed project. The goal of the presentation is to solicit comments from the Commission and public on this proposal to be forwarded with their application to the Board of Housing that funds these projects.



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|  |   |
|--|---|
| <p><b>Franklin School Apartments</b></p> <p>Location:<br/>             820 1st Avenue SW<br/>             813 &amp; 821 2nd Avenue SW<br/>             Great Falls, MT</p>      | <p><b>Preservation of Current Housing</b></p>    <p><b>Rehabilitation and Updates</b></p> <ul style="list-style-type: none"> <li>Energy efficient upgrades, such as upgrading the plumbing fixtures with low flow fixtures, replacing lighting fixtures with high efficiency lighting, and applying certain appliances with ENERGY STAR qualified appliances</li> <li>Evaluation and completion of necessary safety improvements, including seismic lighting, locks, signage, fire protection systems, and other security features</li> <li>Rehabilitation and upgrades to elevator, heating, office, and laundry area</li> <li>Modifications and improvements to common spaces and building entry to improve ADA accessibility</li> </ul> |
| <p><b>Community Housing Needs</b></p> <p>Pursuant to the requirements under Montana Code Ann. § 15-6-221, the parties are holding a public hearing to solicit comment on the project in relation to community housing needs.</p> <p>You are also encouraged to submit comments regarding the need for affordable multi-family rental housing in your area to:</p> <p>Montana Board of Housing,<br/>             PO Box 200328<br/>             Helena, MT 59620-0328<br/>             FAX (406) 841-2841</p>  | <p><b>Questions?</b></p> <p>Kassy J. Buss<br/>             Bjornson Jones Mungas, PLLC<br/>             2809 Great Northern Loop, Suite 100<br/>             Missoula, MT 59808<br/>             (406) 721-8896<br/>             kassy@bjornsonlaw.com</p>    <p>30+ YEARS OF EXPERIENCE<br/>             127 HOUSING COMMUNITIES<br/>             60 COMMUNITIES</p> <p>By the numbers<br/>             25+ YEARS OF SERVICE<br/>             100+ COMMUNITIES<br/>             25000+ RESIDENTS</p>  |

Mayor Reeves asked if the Commissioners had any questions of Ms. Buss. Hearing none, Mayor Reeves asked if there were any comments from the public in favor of or in opposition to the Franklin School Apartments affordable housing project proposal.

**Jake Clark**, Great Falls Development Alliance (GFDA), submitted written comments in support of the Franklin School Apartment project. Mr. Clark reported that housing production in Great Falls is the number one priority of GFDA because it is the best way to keep the cost of living affordable in the region. Low-income housing preservation projects, such as this one, direct federal funds into Great Falls at the discretion of the Montana Board of Housing. This is the only process for Low Income Housing Tax Credits to be deployed in Great Falls.

The most recent Housing Market Demand Assessment for Great Falls highlighted the demand for 650 units of housing per year through 2034. This project would help improve the living conditions and preserve the availability of 40 income restricted housing units in Great Falls that might otherwise turn to market rate.

**Shyla Patera**, City resident, submitted written comments in support of the Franklin School Apartment project. Ms. Patera believes that if the Franklin School Apartments were to become a low income tax credit unit building it would help ease some of the housing issues in Great Falls. She is hopeful that the development team will continue to explore options which expand accessibility and universal design for the Franklin School Apartment building, and all newly constructed and renovated housing stock.

She suggested the City needs to take action regarding how low income citizens and those that use the MOD Rehab programs are going to participate further in this building without Section 8 support or HCV vouchers. She is hoping the Great Falls City Commission, developers and other interested

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parties are discussing the statewide Section 8 waitlist reopening with state officials, because Section 8 and MOD Rehabilitation units have been vital in getting people permanently housed.

Ms. Patera also suggested traffic calming devices around the Franklin School Apartments as the building is near Central Avenue West.

Mayor Reeves closed the public hearing.

Commissioner McKenney commented that affordable housing and the upgrades are needed. He inquired what happens to the residents during the upgrades.

Ms. Buss responded that the parties work with the Board of Housing on a rehabilitation plan to provide minimal disruption to the tenants. If tenants need to be displaced it would be for a week or less at a time in all likelihood. They would be provided housing accommodations and meals during the time they are displaced from their units.

Commissioner Tryon inquired the mission of Bjornson Jones Mungas PLLC.

Ms. Buss responded that she is a partner at Bjornson Jones Mungas. The bulk of her work has been dedicated to affordable housing projects, low income housing tax credit projects, and Section 8-type projects all over Montana.

Commissioner Tryon inquired if the firm's work was done pro bono.

Ms. Buss clarified that their work is not pro bono, but they do work with a lot of different agencies and non-profits that can help provide resources. The client, Vitus, pays her billable hours. The Foundation for Affordable Housing is the non-profit that Vitus is partnering with.

Commissioner Tryon inquired if the Franklin School Apartments has been a tax exempt property.

Ms. Buss responded that it is a current low income housing tax credit project. The current owners are in the process of selling the property to the Vitus group and Foundation for Affordable Housing. She will follow up with the Commission about whether the current status is property tax exempt.

Commissioner Tryon responded that he didn't notice in the fiscal notes whether or not the City would lose the tax base from that property. One of the issues the City and other communities has is a large number of tax exempt, non-profits that benefit from public safety and other public utilities but don't contribute to the property tax base. He inquired how that status would change from the current owners and the new owners.

Ms. Buss concluded that, although the City would lose the tax base of affordable housing projects, it also provides a lot of resources that can alleviate some of the tax burden in other areas.

**ORDINANCES / RESOLUTIONS**



**JOURNAL OF COMMISSION PROCEEDINGS**  
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**11. RESOLUTION 10554 TO LEVY AND ASSESS PROPERTIES WITHIN THE BUSINESS IMPROVEMENT DISTRICT (BID).**

Finance Director Melissa Kinzler reported that the initial creation of the BID was in 1989. It was renewed in 1999, 2009, and 2019, each for periods of 10-years by petition of the property owners within the District.

The Business Improvement District's overall purpose is to utilize assessment dollars through the BID to improve and revitalize the downtown area. On July 16, 2024, as required by Mont. Code Ann. § 7-12-1132(3), the BID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district. Following that public hearing, the City Commission adopted the BID's FY 2025 Work Plan and Budget.

The assessment formula for 2024/2025 will generate \$301,476.71 in assessment revenue for the BID. This is a decrease of \$3,973.75 from the previous year.

Adoption of Resolution 10554 is the final step in the process of setting the BID assessment.

**Commissioner McKenney moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10554.**

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

Motion carried 4-0.

**12. RESOLUTION 10555, TO LEVY AND ASSESS PROPERTIES WITHIN THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) NO. 1307.**

Finance Director Melissa Kinzler reported that the initial creation of the TBID was in 2008. On February 6, 2018, the City Commission approved Resolution 10222 re-creating said TBID for a duration of ten (10) years. TBID's overall purpose is to promote tourism, conventions, trade shows, and travel to the City of Great Falls through the use of assessment revenue.

At a public hearing held on July 16, 2024, the TBID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district. Following the public hearing, the City Commission adopted the 2024/2025 Work Plan and Budget for the TBID.

The assessment amount requested by the TBID through their Work Plan and Budget was \$730,465. The actual assessment for Fiscal Year 2024/2025 based on the assessment formula will generate \$760,254 in assessment revenue. Last year, the total assessment billed was \$769,457, a decrease of \$9,203 from last fiscal year.

Adoption of Resolution 10555 is the final step in the process of setting the TBID assessment.

**JOURNAL OF COMMISSION PROCEEDINGS**  
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**Commissioner Wilson moved, seconded by Commissioners McKenney and Tryon, that the City Commission adopt Resolution 10555.**

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

Motion carried 4-0.

**CITY COMMISSION**

**13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**14. COMMISSION INITIATIVES.**

None.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Reeves, to adjourn the regular meeting of September 17, 2024, at 7:35 p.m.**

Motion carried 4-0.

\_\_\_\_\_  
 Mayor Reeves

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

**Minutes Approved: October 1, 2024**



Commission Meeting Date: October 1st, 2024  
**CITY OF GREAT FALLS**  
**COMMISSION AGENDA REPORT**

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

**PRESENTED BY:** Finance Director

**ACTION REQUESTED:** Approval with Consent Agenda

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

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

|                                      |                         |              |
|--------------------------------------|-------------------------|--------------|
| ACCOUNTS PAYABLE CHECKS              | 09/05/2024 - 09/18/2024 | 4,687,169.05 |
| MISCELLANEOUS ACCOUNTS PAYABLE WIRES | 09/05/2024 - 09/18/2024 | 872,200.69   |
|                                      | SUB TOTAL: \$           | 5,559,369.74 |
| MUNICIPAL COURT CHECKS               | 09/05/2024 - 09/18/2024 | 23,672.80    |
|                                      | GRAND TOTAL: \$         | 5,583,042.54 |

**GENERAL FUND**

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**FIRE**

|                    |   |          |
|--------------------|---|----------|
| CARTEGRAPH SYSTEMS | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 2,224.00 |
|--------------------|---|----------|

**SPECIAL REVENUE FUNDS**

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**COVID RECOVERY**

|                           |                                  |           |
|---------------------------|----------------------------------|-----------|
| ORION PLANNING AND DESIGN | AUGUST 2024 GROWTH POLICY UPDATE | 33,505.94 |
|---------------------------|----------------------------------|-----------|

**PARK DISTRICT**

|                   |                               |            |
|-------------------|-------------------------------|------------|
| SWANK ENTERPRISES | AIM HIGH BIG SKY CONSTRUCTION | 941,029.87 |
|-------------------|-------------------------------|------------|

**STREET DISTRICT**

|                    |   |           |
|--------------------|---|-----------|
| CARTEGRAPH SYSTEMS | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 10,737.41 |
|--------------------|---|-----------|

**GAS TAX BARSAA**

|                                 |                             |            |
|---------------------------------|-----------------------------|------------|
| UNITED MATERIALS OF GREAT FALLS | E FIESTA STREET RECON/PMT 2 | 306,004.53 |
|---------------------------------|-----------------------------|------------|

**SLD 1294 A**

|                    |   |        |
|--------------------|---|--------|
| CARTEGRAPH SYSTEMS | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 956.32 |
|--------------------|---|--------|

**SLD 1296 RE**

|                                 |   |            |
|---------------------------------|---|------------|
| CARTEGRAPH SYSTEMS              | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 155.68     |
| <b>DEBT SERVICE FUNDS</b>       |   |            |
| <b>CAPITAL PROJECT FUNDS</b>    |   |            |
| <b>ENTERPRISE FUNDS</b>         |   |            |
| <b>WATER</b>                    |   |            |
| DN TANKS LLC                    | 33RD ST WATER STORAGE TANK REHAB                  | 367,213.52 |
| CARTEGRAPH SYSTEMS              | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 7,776.87   |
| CAPCON LLC                      | SW SIDE WHR PH 4/PMT 1                            | 304,293.13 |
| <b>SEWER</b>                    |   |            |
| VEOLIA WATER NORTH AMERICA      | MONTHLY WWTP OPERATION CONTRACT                   | 318,489.18 |
| CARTEGRAPH SYSTEMS              | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 9,441.29   |
| AE2S INC                        | SANITARY SEWER SYSTEM CAPACITY MODEL              | 30,450.54  |
| <b>STORM DRAIN</b>              |   |            |
| ED BOLAND CONSTRUCTION          | CENT AVE/3RD ST DRAIN IMPROV PH 1                 | 159,458.96 |
| CARTEGRAPH SYSTEMS              | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 2,776.42   |
| <b>SANITATION</b>               |   |            |
| JACKSON GROUP PETERBILT         | 548 TANDEM AXLE REAR LOADER                       | 170,779.24 |
| JACKSON GROUP PETERBILT         | 548/GS COMMERCIAL SIDE LOADER                     | 160,214.00 |
| CARTEGRAPH SYSTEMS              | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 4,072.55   |
| <b>PARKING</b>                  |   |            |
| STANDARD PARKING CORPORATION    | JUNE 2024 PARKING PROGRAM FEES                    | 31,281.28  |
| STANDARD PARKING CORPORATION    | JULY 2024 PARKING PROGRAM FEES                    | 35,187.76  |
| <b>INTERNAL SERVICE FUNDS</b>   |   |            |
| <b>CENTRAL GARAGE</b>           |   |            |
| CARTEGRAPH SYSTEMS              | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS) | 12,947.37  |
| <b>HEALTH &amp; BENEFITS</b>    |   |            |
| HEALTH CARE SERVICE CORPORATION | BLUE CROSS HEALTH INSURANCE AUG 2024              | 941,239.84 |
| METROPOLITAN LIFE INSURANCE CO  | METLIFE DENTAL AND VISION AUG 2024                | 47,049.50  |

|                                    |   |                               |
|------------------------------------|---|-------------------------------|
| <b>ENGINEERING</b>                 |   |                               |
| CARTEGRAPH SYSTEMS                 | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS)               | 17,785.08                     |
| <b>PUBLIC WORKS ADMINISTRATION</b> |   |                               |
| CARTEGRAPH SYSTEMS                 | YEARLY CARTEGRAPH FEE 2024<br>(SPLIT AMONG FUNDS)               | 3,336.03                      |
| <b>TRUST AND AGENCY FUNDS</b>      |   |                               |
| <hr/>                              |   |                               |
| <b>PAYROLL CLEARING</b>            |   |                               |
| STATE TREASURER                    | MONTANA TAXES   | 41,724.00                     |
| FIREFIGHTER RETIREMENT             | FIREFIGHTER RETIREMENT EMPLOYEE &<br>EMPLOYER CONTRIBUTIONS     | 59,463.55                     |
| STATEWIDE POLICE RESERVE FUND      | POLICE RETIREMENT EMPLOYEE &<br>EMPLOYER CONTRIBUTIONS          | 75,354.55                     |
| PUBLIC EMPLOYEE RETIREMENT         | PUBLIC EMPLOYEE RETIREMENT<br>EMPLOYEE & EMPLOYER CONTRIBUTIONS | 153,268.80                    |
| US BANK                            | FEDERAL TAXES, FICA & MEDICARE                                  | 240,533.45                    |
| <b>UTILITY BILLS</b>               |   |                               |
| <hr/>                              |   |                               |
| HIGH PLAINS LANDFILL               | LANDFILL CHARGES AUGUST 2024                                    | 112,627.64                    |
| NORTHWESTERN ENERGY                | ELECTRIC SUPPLY AUGUST 2024                                     | 65,325.52                     |
| ENERGY KEEPERS                     | ENERGY SALES AUGUST 2024  | 261,574.60                    |
| <b>CLAIMS OVER \$25,000 TOTAL:</b> |   | <b>\$ <u>4,928,278.42</u></b> |

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

**DATE: October 1, 2024**

**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**

|          | <b>DEPARTMENT</b>          | <b>OTHER PARTY (PERSON OR ENTITY)</b>                  | <b>PERIOD</b>           | <b>AMOUNT</b> | <b>PURPOSE</b>  |
|----------|----------------------------|--|-------------------------|---------------|---|
| <b>A</b> | Public Works – Engineering | Advanced Engineering and Environmental Services (AE2S) | On-Call                 | \$68,500      | Professional Services Agreement to provide on-call services to assist the City in complying with the EPA’s Lead and Copper Rule Revision and/or the Lead and Copper Improvements <b>OF 1776.0</b>                 |
| <b>B</b> | Public Works – Engineering | Homes 4 You, LLC                                       | 10/01/2024 – 12/31/2025 | \$79,605.95   | Public Works Construction Agreement to remove and replace metal siding, roofing, pedestrian doors, and overhead doors on Traffic’s cold storage auxiliary Building 4 at the Public Works complex <b>OF 1814.1</b> |

|   |       |  |           |        |  |
|---|-------|--|-----------|--------|--|
| C | Legal | Arco Environmental Remediation LLC and Black Eagle – Cascade County Water & Sewer District | Perpetual | \$1.00 | First Amendment to Easement to (1) grant and convey to the City a non-exclusive easement to construct, reconstruct, upgrade, operate, maintain or remove a sewer main pipeline, and necessary appurtenances as the City may require; and, grant and convey to the District a non-exclusive easement to construct, reconstruct, upgrade, operate, maintain and remove a water main pipeline and necessary appurtenances as the District may require. The Amendment does not alter the City’s existing easement from ARCO but it does increase the width of the easement and establishes the Black Eagle water main as an acceptable utility in said easement. [T21N, R4E, PMM, described as Parcel 2703000, Mark 1, Geocode 02-3139-31-2-01-01-0000, Original Easement Recording # R0096309, <b>OF 1348.1</b> CR: 110304.11H] |
|---|-------|--|-----------|--------|--|



Commission Meeting Date: October 1, 2024

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10562 - A Resolution to amend Planning and Community Development Land Development Application Fees associated with Title 17 to include a new fee for a Zoning Verification Letter

**From:** Lonnie Hill, Deputy Director, Planning and Community Development

**Initiated By:** Lonnie Hill, Deputy Director, Planning and Community Development

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

**Action Requested:** Adopt Resolution 10562

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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 10562.”

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

**Staff Recommendation:** Staff recommends approval of Resolution 10562.

**Summary:** In August of 2023, the City Commission adopted Resolution 10521 which increased land development fees. The new fee schedule outlined in Resolution 10521 was proposed due to a shortfall in the Planning Division budget. Although Resolution 10521 increases land development fees, the Planning Division’s budget still relies on support from the General Fund. At a City Commission Work Session on the proposed budget, the Commission acknowledged the need to increase user fees to alleviate pressure on the General Fund Budget.

One fee that was impacted by the changes adopted as part of Resolution 10521 was the fee for a Zoning Determination Letter. As seen in *Exhibit A – Land Development Fee Schedule* the fee for a Zoning Determination was raised from \$200 to \$500. When this fee was analyzed, staff reviewed zoning determination requests that involve an in-depth staff analysis and considerable staff time. However, the



Planning Division receives other types of zoning determinations that don't require significant in-depth analysis and less staff time. In response, staff is proposing a "Zoning Verification Letter".

Zoning verification is often required by other agencies for businesses to receive appropriate licensing. For example, the State of Montana requires a zoning verification letter from the local jurisdiction stating that vehicle sales are a permitted land use upon a property. For these requests, the applicant must provide the State a letter from the City of Great Falls that verifies the proposed land use is permitted within the zoning district the property is located within. As previously stated, these requests do not require a significant in-depth analysis, and less staff time is required to complete the task. Staff recommends a \$75 fee for a Zoning Verification Letter, as highlighted in *Exhibit A – Land Development Fee Schedule*.

**Fiscal Impact:** The proposed changes to the land development fee schedule will enable the department to apply fees more practically and reasonably, based on the required staff time to complete the task. The proposed annual zoning verification fee is \$75.00, which covers the fully burdened cost of employees processing, verifying, and delivering necessary forms and approvals.

**Alternatives:** The Commission could choose to deny Resolution 10562, revise the resolution, or delay action on the Resolution.

**Attachments/Exhibits:**

Resolution 10562

Exhibit A – Land Development Fee Schedule

**RESOLUTION NO. 10562**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AMENDING LAND DEVELOPMENT APPLICATION FEES ASSOCIATED WITH TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) TO INCLUDE A NEW FEE FOR A ZONING VERIFICATION LETTER**

**WHEREAS**, the City Land Development Code, as adopted by the Great Falls City Commission on September 6, 2005, and as amended on March 6, 2007, includes provisions and procedures for the processing of land development applications, including but not limited to annexations, subdivisions, and zoning related actions; and

**WHEREAS**, the City Commission of the City of Great Falls last addressed land development application fees through the adoption of Resolution 10521 on September 5, 2023; and

**WHEREAS**, Title 17 of the Official Code of the City of Great Falls (OCCGF) includes a provision that the City Commission may, at its discretion, set and revise fees by resolution; and

**WHEREAS**, due to the staff time costs required to ensure such requests are in compliance with all local ordinance requirements, staff proposed a “zoning verification letter” and fee for those requests that do not require significant in-depth analysis and less staff time than the already designated zoning determination letter and fee.

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

1. The land development fee schedule in Exhibit A is hereby approved.
2. This resolution shall become effective on October 1, 2024, superseding Resolution 10521.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, October 1, 2024.

\_\_\_\_\_  
Cory Reeves, Mayor

ATTEST:

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

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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David G. Dennis, City Attorney

## EXHIBIT “A” TO RESOLUTION 10562

| <b>LAND DEVELOPMENT FEE SCHEDULE</b>     |                            |
|--|----------------------------|
| <b>City of Great Falls, Montana</b>      |                            |
| EFFECTIVE: October 1, 2024               |                            |
| Annexation (including zoning) – Base Fee | \$3,000                    |
| Per Acre Fee (Annexation)                | \$150 Per Acre             |
| Preliminary Plat Major                   | \$4,000 plus \$100 per lot |
| Revised Preliminary Plat                 | \$3,500                    |
| Preliminary Minor Plat                   | \$3,000                    |
| Final Plat Major                         | \$2,000 plus \$50 per lot  |
| Final Plat Minor                         | \$2,000                    |
| Administrative Amended Plat              | \$400                      |
| Amended Plat (non-administrative)        | \$3,000                    |
| Zoning Map Amendment                     | \$4,000                    |
| Conditional Use Permit                   | \$3,000                    |
| Variances                                | \$2,500                    |
| Planned Unit Development                 | \$4,000                    |
| Vacate Rights of Way                     | \$3,500                    |
| Floodplain Permit                        | \$300                      |
| Floodplain Determination                 | \$500                      |
| Zoning Permit - Residential              | \$200                      |
| Zoning Permit - Commercial               | \$1,000                    |
| Tax Abatement                            | \$1,000                    |
| Parking Lot Permit                       | \$500                      |
| Zoning Determination Letter              | \$500                      |
| <b>Zoning Verification Letter</b>        | <b>\$75</b>                |
| Handicap Sign Placement                  | \$75                       |



Commission Meeting Date: October 1, 2024

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Fire Station Infrastructure Renovations Change Order #2, O.F. 1797.1

**From:** Finance Department (Sylvia Tarman, ARPA Project Manager)

**Initiated By:** Finance Department, Fire Department

**Presented By:** Sylvia Tarman, Project Manager

**Action Requested:** Approve Change Order #2

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Change Order #2, to James Talcott Construction, Inc. for the Fire Station Infrastructure Renovations Project, in the amount of \$14,540.94 utilizing American Rescue Plan Act funds, and authorize the City Manager to execute the contract documents.”

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 Change Order #2 for James Talcott Construction, Inc. to complete the changes associated with the change order for the Fire Station Infrastructure Renovations Project.

**Background:**

The City Commission awarded the construction contract to James Talcott Construction Inc. for the Fire Station Infrastructure Renovations Project at the April 18<sup>th</sup>, 2023 Commission meeting. Construction began in June of 2023. Scope changes have been made throughout the course of the project, and the Commission awarded Change Order #1, in the amount of \$32,717.68, in May. Since then, construction has largely been wrapped up but a few smaller items were needed to complete the project and put the finishing touches on the construction. Change Order #2 includes items like additional lighting, electrical wiring, paint, and door finishes that are needed to complete the project and give a better finished product for the Fire Stations. The final items needed for final completion of the Project should arrive by the middle/end of November, and the project will be completed at that time.

**Fiscal Impact**

This project is being awarded through ARPA Funds. This Change Order increases the contract amount by \$14,540.94. The combined total of the two change orders is \$47,258.62, gives us a new contract total of

\$2,778,458.62. This will affect the overall ARPA allocations, but as other projects have come in under budget, there are unallocated funds to offset this increase.

**Alternatives:**

The City Commission could vote to deny the change order, however many of these items have been executed to some point in order to keep the project moving forward. Alternative funding would have to be identified.

**Concurrences:**

This action is supported by the staff of the Finance Department and Fire Department.

**Attachments/Exhibits:**

AIA Change Order #2

# AIA® Document G701® – 2017

## Change Order

|  |   |  |
|--|---|--|
| <b>PROJECT:</b> <i>(Name and address)</i><br>Great Falls Fire Stations Reno<br>#1-105 9 <sup>th</sup> St. S, Great Falls, MT 59401<br>#2-731 6 <sup>th</sup> St. NW, Great Falls 59404<br>#3-3325 Central Ave, Great Falls,<br>MT 59401<br>#4-1800 Fox Farm Road, Great Falls, MT<br>59404 | <b>CONTRACT INFORMATION:</b><br>Contract For: General Construction<br>Date: May 4, 2023                                     | <b>CHANGE ORDER INFORMATION:</b><br>Change Order Number: 02<br>Date: September 17, 2024                            |
| <b>OWNER:</b> <i>(Name and address)</i><br>City of Great Falls<br>PO Box 5021<br>Great Falls, MT 59403   | <b>ARCHITECT:</b> <i>(Name and address)</i><br>Cushing Terrell<br>219 2 <sup>nd</sup> Avenue South<br>Great Falls, MT 59405 | <b>CONTRACTOR:</b> <i>(Name and address)</i><br>James Talcott Construction<br>PO Box 5021<br>Great Falls, MT 59403 |

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

See attached pages.

|  |    |              |
|--|----|--------------|
| The original Contract Sum was  | \$ | 2,731,200.00 |
| The net change by previously authorized Change Orders                    | \$ | 32,717.68    |
| The Contract Sum prior to this Change Order was                          | \$ | 2,763,917.68 |
| The Contract Sum will be increased by this Change Order in the amount of | \$ | 14,540.94    |
| The new Contract Sum including this Change Order will be                 | \$ | 2,778,458.62 |

The Contract Time will be unchanged by ( ) days.  
The new date of Substantial Completion will be 07/15/2024

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Cushing Terrell  
 ARCHITECT *(Firm name)*  
 \_\_\_\_\_  
 SIGNATURE  
 Anthony Houtz, AIA  
 PRINTED NAME AND TITLE  
 \_\_\_\_\_  
 9/17/2024  
 DATE

James Talcott Construction Inc  
 CONTRACTOR *(Firm name)*  
 \_\_\_\_\_  
 SIGNATURE  
 Austin Gifford, Project Manager  
 PRINTED NAME AND TITLE  
 \_\_\_\_\_  
 9/17/2024  
 DATE

City of Great Falls  
 OWNER *(Firm name)*  
 \_\_\_\_\_  
 SIGNATURE  
 Greg Doyon, City Manager  
 PRINTED NAME AND TITLE  
 \_\_\_\_\_  
 DATE

**Itemized List**



**Fire Station #1  
105 9th Street South, Great Falls, MT 59401**

| No.      | Description                   | Cost of Change     |
|----------|-------------------------------|--------------------|
| ST1_CP34 | Ready Room UV Electrical      | \$608.67           |
| ST1_CP35 | Stairway Wall Caps            | \$311.47           |
| ST1_CP36 | 2nd Floor Existing Wall Paint | \$1,566.04         |
| ST1_CP37 | Add Stairway door             | \$8,536.64         |
| ST1_CP38 | Repair Lockers                | \$1,086.53         |
|          |                               | <b>\$12,109.35</b> |

**Fire Station #2  
731 6th Street NW, Great Falls, MT 59404**

| No.      | Description        | Cost of Change    |
|----------|--------------------|-------------------|
| ST2_CP09 | Paint Existing ACT | \$1,091.36        |
|          |                    | <b>\$1,091.36</b> |

**Fire Station #3  
3325 Central Ave, Great Falls, MT 59401**

| No.      | Description          | Cost of Change    |
|----------|----------------------|-------------------|
| ST3_CP18 | Paint Existing ACT   | \$1,080.66        |
| ST3_CP19 | Light in Entry 3-121 | \$259.57          |
|          |                      | <b>\$1,340.23</b> |

|                         |  |                    |
|-------------------------|--|--------------------|
| <b>TOTAL of CO #2 =</b> |  | <b>\$14,540.94</b> |
|-------------------------|--|--------------------|



# RECAP

**PROJECT NUMBER: GFFIRE\_STATION 1**

**PRICING REQUEST NUMBER:  
ST1\_JTC\_CP37 - Add Stairway Door**

**City of Great Falls Fire Station 1-4 Renovations**

|                               |                   |
|-------------------------------|-------------------|
| TOTAL MATERIAL COSTS.....     | <u>3,685.00</u>   |
| TOTAL LABOR COSTS.....        | <u>3,415.00</u>   |
| TOTAL OTHER DIRECT COSTS..... | <u>300.00</u>     |
| TOTAL DIRECT COSTS.....       | <u>7,400.00</u>   |
| OVERHEAD @ 8%.....            | <u>592.00</u>     |
| PROFIT @ 4%.....              | <u>296.00</u>     |
| <b>SUBTOTAL</b>               | <u>8,288.00</u>   |
| SUBCONTRACTS                  | <u>0.00</u>       |
| Subcontractor Prime Profit 5% | <u>0.00</u>       |
| <b>SUBTOTAL</b>               | <u>8,288.00</u>   |
| Bond @ 1%                     | <u>82.88</u>      |
| Insurance & Tax @ 2%          | <u>165.76</u>     |
| <b>TOTAL PRICE.....</b>       | <b>\$8,536.64</b> |

Signature: 

Title: Project Manager

Firm Name: James Talcott Construction, Inc.

Date: 9/5/2024

| CONSTRUCTION COST ESTIMATE BREAKDOWN   |  |                     |               |   |              |  |                 |              |                           |                    |                    |
|--|--|---------------------|---------------|---|--------------|--|-----------------|--------------|---------------------------|--------------------|--------------------|
| CONTRACTOR<br><b>James Talcott Construction, Inc.</b>  |  |                     |               |   |              | ADDRESS<br><b>PO Box 2493, Great Falls, MT 59403</b> |                 |              |                           |                    |                    |
| CONTRACT FOR (Work to be performed)<br><b>City of Great Falls Fire Station 1-4 Renovations</b> |  |                     |               |   |              | PROPOSED TOTAL CONTRACT PRICE                        |                 |              |                           |                    |                    |
| CONTRACT NUMBER<br><b>ST1_JTC_CP37 - Add Stairway Door</b>                                     |  |                     |               | PROJECT NUMBER<br><b>GFFIRE_STATION 1</b> |              | WORK LOCATION<br><b>Great Falls, MT</b>              |                 |              |                           |                    |                    |
| LINE NO.   | ITEM<br>(1)  | UNIT OF MEAS<br>(2) | MATERIAL COST |   |              | LABOR COSTS  |                 |              | OTHER DIRECT COSTS<br>(9) | LINE TOTAL<br>(10) | Subcontractor Cost |
|  |  |                     | QTY<br>(3)    | UNIT COST<br>(4)                          | TOTAL<br>(5) | MANHRS/ MANDAYS<br>(6)                               | AVG RATE<br>(7) | TOTAL<br>(8) |                           |                    |                    |
| 1  | Mobilize and Shop Delivery   | LS                  | 1.00          | 0.00                                      | 0.00         | 8.00   | 45.00           | 360.00       | 50.00                     | 410.00             | 0.00               |
| 2  | Frame 44" wide x 9' tall wall with 3 5/8" steel studs with 38" x 85" RO Door opening                             | LS                  | 1.00          | 110.00                                    | 110.00       | 6.00   | 45.00           | 270.00       | 20.00                     | 400.00             | 0.00               |
| 3  | Sheetrock walls with 5/8" Type X drywall   | LS                  | 1.00          | 55.00                                     | 55.00        | 3.00   | 45.00           | 135.00       | 20.00                     | 210.00             | 0.00               |
| 4  | Tape and paint wall and door (includes zip strip against existing walls and caulking joint)                      | LS                  | 1.00          | 140.00                                    | 140.00       | 12.00  | 45.00           | 540.00       | 40.00                     | 720.00             | 0.00               |
| 5  | Fire Rated Door (stained wood grain to match), frame and hardware<br>** Door may have an 8 to 10 week lead time. | LS                  | 1.00          | 3,280.00                                  | 3,280.00     | 11.00  | 45.00           | 495.00       | 60.00                     | 3,835.00           | 0.00               |
| 6  | JTC Supervision / Cleaning   | LS                  | 1.00          | 0.00                                      | 0.00         | 4.00   | 55.00           | 220.00       | 20.00                     | 240.00             | 0.00               |
| 7  | JTC Project Management   | LS                  | 1.00          | 0.00                                      | 0.00         | 6.00   | 70.00           | 420.00       | 20.00                     | 440.00             | 0.00               |
| <b>Temporary opening Install on 8 August 2024</b>  |  |                     |               |   |              |  |                 |              |                           |                    |                    |
| 1  | Man lift and material delivery (Historical data available)   | LS                  | 1.00          | 100.00                                    | 100.00       | 2.00   | 45.00           | 90.00        | 25.00                     | 215.00             | 0.00               |
| 2  | Labor to install temp door (Historical data available, see attached)   | LS                  | 1.00          | 0.00                                      | 0.00         | 11.00  | 45.00           | 495.00       | 0.00                      | 495.00             | 0.00               |
| 3  | Project Management (Historical data available, see attached)   | LS                  | 1.00          | 0.00                                      | 0.00         | 3.00   | 70.00           | 210.00       | 20.00                     | 230.00             | 0.00               |
| 4  | Removal of temp wall, patch and paint existing wall connections  | LS                  | 1.00          | 0.00                                      | 0.00         | 4.00   | 45.00           | 180.00       | 25.00                     | 205.00             | 0.00               |
| 5  |  |                     |               |   |              |  |                 |              |                           |                    |                    |
| SUBTOTALS THIS PAGE:   |  |                     |               |   | 3,685.00     | 3,415.00   |                 |              | 300.00                    | 7,400.00           | 0.00               |



Commission Meeting Date: October 1, 2024

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10563 - A Resolution to amend Planning and Community Development Land Development Application Fees to include a License Verification fee, a fee increase for a Home Occupation Certificate, and rescinding Resolution 9711;  
Ordinance 3270 - An Ordinance Repealing Title 5, Chapter 3, Article 1 of the Official Code of the City of Great Falls (OCCGF) Pertaining to Mechanically-Operated Devices Depicting Sexual Activities.

**From:** Joelle Marko, Deputy Building Official, Planning and Community Development

**Initiated By:** Planning and Community Development

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

**Action Requested:** Set a joint public hearing on Resolution 10563 and Ordinance 3270 for October 15, 2024.

**Suggested Motion:**

- I.
  - A. Commissioner moves:
 

“I move that the City Commission (set/not set) a public hearing on Resolution 10563 for October 15, 2024.”
  - B. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.
  
- II.
  - A. Commissioner moves:
 

“I move that the City Commission (accept/not accept) Ordinance 3270 on first reading and (set/not set) a public hearing for October 15, 2024.”
  - B. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

**Staff Recommendation:** Staff recommends that the City Commission set a joint public hearing for Resolution 10563 and Ordinance 3270 for October 15, 2024.

**Summary:** During the 68th State of Montana Legislature, Senate Bill 262 added language to Montana Code Annotated (MCA) 7-1-111 to prohibit local governments from requiring additional licensing when the state is the original issuer of the license. This prohibition resulted in the City's inability to require individual business licenses for tradespeople (drain layers, plumbers, electricians, etc.), which previously allowed the City to ensure those requesting development permits were licensed correctly and possessed the required insurance and bonding capacity.

Although the City is no longer able to mandate additional licenses beyond the requirements of the State of Montana, it is still the City's duty to ensure that individuals carrying out trade work within the city limits hold a valid State license. The City is responsible for authorizing and overseeing work conducted within its jurisdiction, with the obligation to safeguard its residents, property, and interests.

After a discussion with the City's Legal Department, it was determined to require yearly license verifications for specialty contractors in the trades instead of individual business licenses. The verification will consist of an application and an associated fee. The fee will be assessed to cover staff time in processing verification requests. The requests will consist of reviewing information submitted on the application, particularly state licensure information, required insurance, and bonding information, if applicable. The proposed new fee of \$45.00 is listed as part of Resolution 10563, which includes the Proposed Development License Verification Form that will be administered by staff.

While analyzing fees listed within Planning and Community Development Fees Associated with Title 5 of the OCCGF, staff determined a fee increase to a new issuance of a Home Occupation Certificate is necessary. This conclusion was reached after analyzing the required staff time to complete the task. The fully burdened cost of processing and verifying issuance of a new Home Occupation Certificate includes the input of the request into the system by a permit technician, and a site inspection conducted by a city planner to ensure conformance with all adopted codes. Staff also analyzed the cost of a Home Occupation Certificate renewal and has determined the \$35.00 covers the cost of processing a renewal. The proposed increase from \$55.00 to \$100.00 for a new issuance of a Home Occupation Certificate is listed as part of Resolution 10563.

In reviewing the Planning and Community Development fees associated with Title 5 of OCCGF, staff determined there are other fees listed on the fee schedule that are no longer administered by Planning and Community Development.

Staff is proposing elimination of a separate license and associated fees for Coin-Operated Devices Depicting Sexual Activities per Device. The license required for this type of business is obsolete as no business exists within the corporate limits of the City of Great Falls. If a request for this type of business is made in the future, the activity is categorized under the land use of "sexual-oriented business", which will remain regulated within Title 17. The regulations include special standards, such as location requirements, that will still be applied through the review of a Safety Inspection Certificate (Business License). The proposal eliminates the license and fee listed on the Planning and Community Development Fees Associated with Title 5 of the OCCGF as part of Resolution 10563, and removes the associated sections of code as part of Ordinance 3270.

Staff is also recommending elimination of the fee listed for False Alarms and an Alarm Permit Agent. False alarms are administered by the Fire Department as part of Ordinance 3233, including a separate set of fees. Staff is proposing elimination of this fee listed on the Planning and Community Development schedule. City code will remain as adopted for False Alarms.

**Fiscal Impact:** The proposed annual license verification fee is \$45.00 per business entity, based on the fully burdened cost of employees processing, verifying, and filing the necessary forms. The proposed annual Home Occupation Certificate fee is \$100.00 for new issuance. This fee is also based on the fully burdened cost of processing and verifying issuance of a certificate. The Home Occupation Certificate fee has not been increased since the adoption of Resolution 9711 on November 20, 2007.

**Alternatives:** The Commission could choose not to set the public hearing to consider Resolution 10563 and Ordinance 3270.

**Concurrences:** Staff has worked with the City Clerk, the Legal Department, Public Works Department, and Great Falls Fire Rescue to develop this resolution to ensure fair and equitable fees for applicants and staff work is compensated.

**Attachments/Exhibits:**

Resolution 10563

Resolution 10563 Exhibit A

Ordinance 3270

Ordinance 3270 Exhibit A

Proposed Development License Verification Application

**RESOLUTION NO. 10563**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AMENDING PLANNING AND COMMUNITY DEVELOPMENT FEES ASSOCIATED WITH TITLE 5 TO INCLUDE A DEVELOPMENT LICENSE FEE, A FEE INCREASE FOR A HOME OCCUPATION CERTIFICATE, AND RESCINDING RESOLUTION 9711**

**WHEREAS**, Title 5 in the Official Code of the City of Great Falls provides various license and certificate fees to be established by resolution; and

**WHEREAS**, the City Commission last addressed *all* fees associated with Title 5 through adoption of Resolution 9711 on November 20, 2007; and

**WHEREAS**, the City Commission adopted Resolution 10207 on October 17, 2017 which superseded only Section 2 – Safety Inspection Issuance and Renewal Certificate Fees (A) – (C) set forth in Resolution 9711; and

**WHEREAS**, Title 5 of the OCCGF includes a provision that the City Commission may, at its discretion, set and revise fees by resolution; and

**WHEREAS**, during the 68th State of Montana Legislature, Senate Bill 262 added language to Montana Code Annotated (MCA) 7-1-111 to prohibit local governments from requiring additional licensing when the state is the original issuer of the license; and

**WHEREAS**, to ensure license verification for specialty contractors is in compliance with all local ordinances and state requirements, staff proposed a “development license verification application and fee” to ensure that individuals carrying out trade and specialty work within the city limits hold a valid State license; and

**WHEREAS**, due to the length of time that the Home Occupation Certificate fee has remained in place and the current fee is significantly less than the fully burdened cost of new issuance of a Home Occupation Certificate.

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

1. The fees set forth in Exhibit A, inclusive of the new Development License Verification fee of \$45.00 per license type annually, are hereby approved.
2. The fees set forth in Exhibit A, inclusive of the new issuance of a Home Occupation Certificate fee of \$100.00, are hereby approved.

3. Resolution No. 9711 is hereby rescinded.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, October 15, 2024.

\_\_\_\_\_  
Cory Reeves, Mayor

ATTEST:

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

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
David G. Dennis, City Attorney

EXHIBIT "A" TO RESOLUTION 10563

PLANNING AND COMMUNITY DEVELOPMENT FEES ASSOCIATED WITH TITLE 5 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF)

- A. HOME OCCUPATION CERTIFICATE FEES:
  - 1. New Issuance \$100
  - 2. Renewals \$35
  
- B. GARBAGE
  - 1. Commercial Garbage License \$100
  - 2. Special/Private Garbage Collection \$10
  
- C. ALCOHOLIC BEVERAGES
  - 1. Will follow the same fee structure as the State of Montana
  - 2. Change of Location of Alcoholic Beverage Licenses \$30
  
- D. NON-RESIDENT VENDOR
  - 1. Short Term/Per Week \$25
  - 2. Long Term/Remainder of Calendar Year \$150
  
- E. DEVELOPMENT LICENSE VERIFICATION FEE
  - 1. Per License Type Annually \$45
  
- F. DELIQUENT CHARGES FOR ALL LICENSE AND CERTIFICATION FEES
  - 1. Delinquent Charge \$15 plus 10% of fee



**ORDINANCE 3270**

**AN ORDINANCE REPEALING TITLE 5, CHAPTER 3, ARTICLE 1 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO MECHANICALLY-OPERATED DEVICES DEPICTING SEXUAL ACTIVITIES**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 5 of the OCCGF outlining provisions pertaining to Business Licenses, Permits, and Safety Inspection Certificates; and

**WHEREAS**, the City Commission adopted Ordinance 2675 on November 21, 1995 creating the provisions in Title 5 pertaining to coin-operated devices depicting sexual activities; and

**WHEREAS**, the City Commission adopted Ordinance 2923 on September 6, 2005 and Ordinance 2950 on March 6, 2007 pertaining to the City’s Land Development Code; and

**WHEREAS**, since that time, businesses with coin-operated devices depicting sexual activities are limited to certain zoning districts to promote the health, safety, morals and general welfare of the citizens as set forth in OCCGF 17.20.6.100; and

**WHEREAS**, the license required for that type of business is obsolete as no business exists within the corporate limits of the City of Great Falls; and

**WHEREAS**, should a business request be made, Safety Inspection Certificate and associated fees shall be required to ensure that the building complies with applicable building, fire, or safety codes, and other ordinances and regulations, including zoning special standards that have been enacted by the City for the purpose of protecting the health, safety, and welfare of the public.

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

Section 1. Title 5, Chapter 3, Article 1, Sections 010 – 030 of the OCCGF are hereby repealed as depicted in Exhibit “A” which removes any language indicated by a ~~strike-out~~; and

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

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading October 1, 2024.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 15, 2024.

\_\_\_\_\_  
Cory Reeves, Mayor

ATTEST:

(CITY SEAL)

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

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
David G. Dennis, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3270 on the Great Falls Civic Center posting board and the Great Falls City website.

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

(CITY SEAL)

Title 5 - BUSINESS LICENSES, PERMITS, AND SAFETY INSPECTION CERTIFICATES  
 Chapter 3 - SPECIAL BUSINESS AND CONSTRUCTION LICENSES, CERTIFICATES, AND PERMITS  
 Article 1 MECHANICALLY-OPERATED DEVICES DEPICTING SEXUAL ACTIVITIES

**Ordinance 3270 – Exhibit “A”**

**~~Article 1 MECHANICALLY-OPERATED DEVICES DEPICTING SEXUAL ACTIVITIES~~**

**Sections:**

**~~5.3.1.010 Purpose.~~**

~~The purpose of this article is to recognize the fact that the operation of mechanical amusement devices which depict or display specified sexual activities or specified anatomical areas result in increased enforcement programs for the City, and additional expense to the City, justifying a higher license fee. No license will be issued pursuant to this chapter to any person, organization, or entity that has an outstanding obligation or debt to the City.~~

~~(Ord. 3270, 2024; Ord. 3168, 2017).~~

**~~5.3.1.020 Mechanically-operated devices depicting sexual activities.~~**

~~Definitions. The following words and phrases when used in this article shall have the following meanings:~~

- ~~A. "Device" shall include any machine which, upon the insertion of payment of consideration, in any form, directly or indirectly depicts, displays, or projects pictures, photographs or other visual images of anatomical areas or specified sexual activities.~~
- ~~B. "Specified Anatomical Areas" include:
 
  - ~~1. Less than completely and opaquely covered: human genitals, pubic region, buttock, or female breast below a point immediately above the top of areola; or~~
  - ~~2. Human male genitals, even if completely and opaquely covered.~~~~
- ~~C. "Specified Sexual Activities" include:
 
  - ~~1. Human genitals in a state of sexual stimulation or arousal;~~
  - ~~2. Acts of human masturbation, sexual intercourse, sodomy; or,~~
  - ~~3. Fondling of human genitals, pubic region, buttock, or female breast.~~~~
- ~~D. The license application shall include, but not be limited to, a complete list of the devices owned by the person or business subject to this licensing with an indication thereon of the location of each machine.~~

~~(Ord. 3270, 2024; Ord. 3168, 2017).~~

**~~5.3.1.030 License required.~~**

- ~~A. It shall be unlawful for any business to have, or operate, devices depicting sexual activities for which a license or permit is required without such license being first procured and kept in effect at all such times as required by this chapter.~~
- ~~B. Any violation of this section is a misdemeanor punishable by a term of not more than six (6) months in jail, a fine not to exceed \$500, or both.~~

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C. ~~The Court, in its discretion may order the destruction of any device depicting sexual activities in violation of this section.~~

D. ~~Any business that has or operates devices depicting sexual activities in violation of this section, is hereby by declared a Nuisance pursuant to OCCGF Title 8, Chapter 49.~~

**(Ord. 3270, 2024; Ord. 3168, 2017).**