



**City Commission Meeting Agenda  
2 Park Drive South, Great Falls, MT  
Commission Chambers, Civic Center  
March 15, 2022  
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. Please refrain from attending in person if you are not feeling well.
- 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.
- Call-in. Call in during specific public comment periods at 406-761-4786. Please note that the call in option may not be the most ideal option as there is a time delay between what is being aired/streamed and the live meeting, and there may be significant waiting times depending on how many calls are in the queue. Public would need to watch the meeting through the viewing methods listed above and call in when prompted by the Mayor. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL / STAFF INTRODUCTIONS**

**AGENDA APPROVAL**

**CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS**

**PROCLAMATIONS**

Prevention of Cruelty to Animals Month and Bishop Marcus L. Collins Day.

**COMMUNITY INITIATIVES**

1. Community Health Update from City County Health.

**PETITIONS AND COMMUNICATIONS**

2. 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**

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, March 1, 2022, City Commission Meeting.
7. Total Expenditures of \$1,731,032.23 for the period of February 2, 2022 through March 2, 2022, to include claims over \$25,000, in the amount of \$1,157,637.11.
8. Contracts List.
9. Approve a Professional Services Agreement with Pintler Billing Services, LLC to provide patient billing services for 911 Emergency Medical Service (EMS) transports performed by Great Falls Fire Rescue.
10. Award a contract in the amount of \$888,850 to Planned and Engineered Construction, Inc., for the Sanitary Sewer Trenchless Rehabilitation Phase 24, and authorize the City Manager to execute the necessary documents.
11. Set a public hearing for April 5, 2022 on Resolution 10451, Approving the donation of used radio equipment to Cascade County for use by the Rural Volunteer Fire Departments.
12. Set a public hearing for April 5, 2022 for the CDBG & HOME 2022-2023 Annual Action Plan.

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

## **PUBLIC HEARINGS**

13. Resolution 10437, Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 1700 1st Avenue North. *Action: Conduct a public hearing and adopt or deny Res. 10437. (Presented by Craig Raymond)*
14. Resolution 10445, Budget Amendment Resolution. *Action: Conduct a public hearing and adopt or deny Res. 10445. (Presented by Melissa Kinzler)*
15. Resolution 10450, 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.” [Establishing a fine structure for violations of OCCGF 10.9.310 prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts, and superseding Resolution 10420.] *Action: Conduct a public hearing and adopt or deny Res. 10450. (Presented by Jeff Hindoiien)*

## **OLD BUSINESS**



## **NEW BUSINESS**

16. 2018 Long Range Transportation Plan – Minor Amendment #2. *Action: Approve or deny Amendment #2 to the 2018 Great Falls Area Long Range Transportation Plan. (Presented by Craig Raymond)*

## **ORDINANCES / RESOLUTIONS**

17. Resolution 10446, Intent to Expand the Boundaries of the Great Falls Business Improvement District within the City of Great Falls. *Action: Adopt or deny Resolution 10446 and set or not set a public hearing for April 19, 2022. (Presented by Melissa Kinzler and Joan Redeen)*
18. Ordinance 3235, Amending Title 9 of the Official Code of the City of Great Falls (OCCGF) Pertaining to Social Hosts. *Action: Accept or not accept Ord. 3235 on first reading and set or not set a public hearing for April 5, 2022. (Presented by Jeff Hindoien)*
19. Ordinance 3242, A request from Touro College Montana, LLC to rezone ±12.21 acres of proposed Lot 2 of Amended Plat of Lot 1, Block 2, of the Amended Plat of Lot 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, located in the SW ¼ of Section 17, T20N, R4E, P.M., Cascade County, Montana from PLI, Public Lands and Institutional to M-1. Mixed-use District. *Action: Accept or not accept Ord. 3242 on first reading and set or not set a public hearing for April 5, 2022. (Presented by Craig Raymond)*

## **CITY COMMISSION**

20. Miscellaneous reports and announcements from the City Commission.
21. 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**  
**March 1, 2022**

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, Eric Hinebauch, Joe McKenney, Rick Tryon and Susan Wolff. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Paul Skubinna; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig; Fire Chief Jeremy Jones; City Attorney Jeff Hindoien; 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.

**PROCLAMATIONS:** Community Week of Compassion and Fast (March 6-12, 2022).

Mayor Kelly displayed a painting of the City of Kiev gifted to the City of Great Falls from Ukraine delegates that the Advisory Commission on International Relationships hosted in 2017. He reflected on the war going on right now with the country of Ukraine. As the Pledge of Allegiance is recited, he asked everyone to think about how fortunate we are to live in a true democracy and never take it for granted because, up until several days ago, the Country of Ukraine was a solid democracy and now they are struggling for it.

**MILITARY UPDATES**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM MALMSTROM AIR FORCE BASE.**

**Colonel Dan Voorhies**, Malmstrom Air Force Base, provided the following updates:

- Today in 1962, the 12<sup>th</sup> Missile Squadron stood up with equipment and a building, but no people. The missile was placed in front of Building 1191 in March 1962. Boeing was given the contract for the new Minuteman 2 missile in March of 1962, before Minuteman 1 had even been installed.
- During the month of February the defenders, maintainers and operators continued to provide world-class nuclear deterrence for the nation. A big exercise took place during February. The MAFB Fire Department and EOD continued to support civil community partners.
- Tech Sergeant Mason from the 341<sup>st</sup> Munitions Squadron was the Nuclear Deterrence Operations Non-Commissioned Officer (NCO) of the year; the Security Forces Training Group was the Nuclear Deterrence Operations (NDO) professional team of the year; and

## JOURNAL OF COMMISSION PROCEEDINGS

### March 1, 2022

the Force Support Squadron, Child and Youth Services, and Airmen and Readiness Flight all received Air Force Global Strike Command awards.

- Events scheduled for Women's History Month include a 5K run on March 4, all female alert tour on March 9, and a women's leadership forum March 10-11. Keynote speaker for March 10<sup>th</sup> is Brigadier General Stacy Huser

### PETITIONS AND COMMUNICATIONS

2. **Daniel Hartzel**, 609 Central Avenue, read a letter of personal support from a downtown business, and he discussed personal legal matters.

### NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

### BOARDS AND COMMISSIONS

4. **REAPPOINTMENTS TO THE PARKING ADVISORY COMMISSION.**

Mayor Kelly reported that the Commission is being asked to reappoint three members to the Parking Advisory Commission (PAC). The PAC met on February 17, 2022 and recommended reappointing Barbara Nutter, Kellie Pierce and Katie Hanning. They are interested in and eligible to serve another three-year term.

**Commissioner Wolff moved, seconded by Commissioners Hinebauch and McKenney, that the City Commission reappoint Barbara Nutter, Kellie Pierce and Katie Hanning to the Parking Advisory Commission for three-year terms through April 30, 2025.**

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

On behalf of the Commission, Mayor Kelly expressed appreciation to Barbara, Kellie and Katie for their service. It is not an easy job.

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

Motion carried 5-0.

5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Wolff made the following announcements pertaining to the Great Falls Public Library (GFPL):

# JOURNAL OF COMMISSION PROCEEDINGS

March 1, 2022

- The Montana Public Library's report on the GFPL is eight-pages
- GFPL has 237,178 items in circulation
- GFPL has embarked on a master plan to bring the library into a 21<sup>st</sup> century library. GFPL is working with Rethinking Libraries, an organization that was chosen after issuing a Request for Proposals. There will be focus groups and public forums for input during the master planning process
- GFPL is working on a Story Walk that will go from the Library to Gibson Park to encourage more people to read and use those resources
- GFPL is seeking volunteers to help with collecting and sorting the books for the annual book sale that will take place in May

## CITY MANAGER

### 6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon requested that Police Chief Jeff Newton provide a crime update with regard to enforcement efforts in the downtown. In response to comments that were implied during the last meeting that no enforcement activity whatsoever was taking place, Chief Newton provided the following update specific to the area surrounding the First United Methodist Church and Alluvion:

- GFPD's direct enforcement team, including one police officer, is assigned to the downtown area. The officer has been tasked with identifying the homeless individuals. There truly are some homeless individuals, but they have also found out that there are individuals drawn to that area to create problems that are actually city residents. That identification process is ongoing.
- From January 4, 2021 to February 21, 2022 GFPD responded to calls for service at First United Methodist Church 102 times and issued 39 citations and/or arrests. During the same time frame for Alluvion, there were 82 calls for service, not including medical calls, and 51 citations issued and/or arrests made. The bulk of the criminal activity in that area includes open containers, criminal trespass to property, disorderly conduct, and assaults.
- He has heard and received some feedback that the Police Department is "cracking down" or targeting certain individuals. He assured the Commission that is not the case. GFPD fully adheres to individuals' constitutional rights, and he clarified that GFPD is not the "move along" police.
- Probable cause is required for GFPD to issue citations or make arrests. Some of the challenges, that essentially removes GFPD's probable cause to cite and/or arrest, are (1) individuals report an occurrence, but say they do not want to get involved or they will not provide a witness statement, or (2) the officer was not there to witness it himself.
- Captain Schaffer and two patrol lieutenants hope to implement a program this spring that comes down to enforcement, education, a treatment option, and community collaboration.

# JOURNAL OF COMMISSION PROCEEDINGS

March 1, 2022

- GFPD is working to partner with Indian Family Health Clinic, Center for Mental Health, and have been working with Alluvion to provide individuals, many of whom are suffering from mental health issues or some abuse issues, resources to try to get them into treatment. However, it is their choice to do that.
- They are also working with Judge Bolstad on sentencing options to force treatment through the municipal court system.

Chief Newton concluded that this is a community issue. As law enforcement, GFPD is trying to mitigate this as best they can, but cannot enforce their way out of this problem. That is why they are working with other entities to collaborate and try to come up with other solutions other than just writing tickets and arresting people.

Mayor Kelly asked if there were any questions for Chief Newton.

Commissioner Tryon inquired the number of actual unhoused individuals.

Chief Newton responded that is an ongoing process. GFPD has reached out to other entities to help identify the unhoused. He will bring that information back to the Commission.

Manager Doyon reported:

- The Public Works Environmental Division recently submitted the City's Municipal Separate Storm Sewer System (MS4) annual report. The City's MS4 contains six program elements that are dedicated to preventing potential negative water quality impacts associated with the City's storm water discharges for the many 81 discharge points into the Missouri River. The annual report document and accompanying data is about 200 pages. Calendar year 2021 was the last of a five-year permit cycle. The new five-year MS4 permit with new and increased program requirements goes into effect April 1, 2022. The annual report is available on the Public Works Environmental Division webpage along with other information and documentation regarding their programs.
- A new emerging leaders program began last week. The program is designed to engage employees that are not at the supervisory level yet, but are showing potential. Department heads chose eleven participants. The program will be for one year. The participants will learn about all the different departments, how policy is developed, how the budget is developed, and to get to know their own strengths and areas that they could work on if they take that next step into a supervisory role.
- He will be attending the Executive Forum in Choteau the next couple of days, and then to Washington DC to attend the Association of Defense Communities Annual Summit.
- He congratulated the Great Falls Homeschool Lady Bulldogs for their undefeated season and winning the MCAA basketball championship.

Commissioner Tryon requested that Manager Doyon summarize what the City is doing in terms of dealing with the property complaints and issues surrounding the First United Methodist Church.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**March 1, 2022**

Manager Doyon responded that, based on concerns generated from the community, neighborhood councils and businesses, code compliance is under review.

**CONSENT AGENDA.**

7. Minutes, February 15, 2022, City Commission Meeting.
8. Total Expenditures of \$2,436,560 for the period of February 1, 2022 through February 16, 2022, to include claims over \$25,000, in the amount of \$1,978,484.
9. Contracts List.
10. Approve a Professional Services Agreement in the amount not to exceed \$244,463 to Advanced Engineering and Environmental Services, Inc. (AE2S), for design phase services on the Wastewater Treatment Plant Secondary Clarifier Rehabilitation and Return Activated Sludge Bypass Piping project, and authorize the City Manager to execute the agreement documents.  
**OF 1731.3**
11. Vacate a public hearing on Resolution 10437, for a Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 1700 1st Avenue North and reset the public hearing for March 15, 2022.
12. Set public hearing for March 15, 2022 on Resolution 10445, Budget Amendment Resolution.
13. Set a public hearing for March 15, 2022 on Resolution 10450, Establishing the Rates, Fees and Penalties Associated with Title 10 Pertaining to the City’s Parking System.” [Establishing a fine structure for violations of OCCGF 10.9.310 prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts, and superseding Resolution 10420.]

**Commissioner Tryon moved, seconded by Commissioner Wolff, 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.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**PUBLIC HEARINGS**

14. **GREAT FALLS PUBLIC SCHOOL DISTRICT REQUEST TO REZONE PROPERTIES AND VACATE CITY RIGHT-OF-WAY IN THE VICINITY OF GREAT FALLS HIGH SCHOOL AND KRANZ PARK.**



# JOURNAL OF COMMISSION PROCEEDINGS

March 1, 2022

14.
  - I. Resolution 10442 to vacate 17<sup>th</sup> Street South between 3<sup>rd</sup> Avenue South and 4<sup>th</sup> Avenue South, as well as the portion of 4<sup>th</sup> Alley South abutting Lots 5-10, Block 736.
  - II. Ordinance 3241 to Rezone the properties legally described as Lots 5-10, Block 736, of the Tenth Addition to Great Falls Townsite, including those portions of the vacated 17<sup>th</sup> Street and 4<sup>th</sup> Alley South right-of-way from Parks and Open Space to Public Lands and Institutional.
  - III. Amended Plat aggregating the parcels.

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

Planning and Community Development Director Craig Raymond reported that, on January 19, 2021, the City Commission approved a land swap agreement between the City and the School District wherein the City swapped a portion of Kranz Park to the School District. At that time, the School District had thoughts on how they might be able to utilize the land. The School District successfully completed numerous construction projects as part of a \$99 million dollar levy. The Great Falls High HUB addition and school remodel was one of those major projects.

While a final design has not been submitted, this current project is really a continuation of a bigger plan that will provide additional parking and shifting of athletic field locations. The items on tonight's agenda are necessary in order to accomplish the desired outcome. The existing 17<sup>th</sup> Street South right-of-way needs to be vacated and the street deconstructed to make way for the new facilities. Additionally, there is a portion of a platted alley right-of-way that was never built upon that is also proposed to be vacated. In order to accommodate the new facilities, an existing sewer main will need to be abandoned. The City Public Works and Engineering Department have been directly involved with this proposal and have approved the abandonment proposal. Additional utility easements will likely be necessary as the final design of the project is completed.

At the February 1, 2022 City Commission meeting, a member of the Neighborhood Council spoke of some concerns regarding traffic flow between 3<sup>rd</sup> and 4<sup>th</sup> Avenues South, as well as concerns about loss of pedestrian access along 17<sup>th</sup> Street South. One suggestion that was raised was to re-dedicate that portion of 18<sup>th</sup> Street South that had been vacated many years ago. Upon consideration, staff felt this was not a feasible option under the circumstances. The planned improvements by the City Park & Recreation Department, pedestrian access and circulation will be adequately addressed.

The Great Falls Public School District is requesting a zone change for the acquired Kranz Park lots and adjoining rights-of-way from Parks and Open Space to Public Lands and Institutional. The PLI zoning district would unify the school's property under one zoning district, as well as give the school the ability to use the property to its full potential in the future. In the short term, the district's proposal to expand the school's parking, as well as extend the practice fields, complies with the property's current PLI zoning.

Mayor Kelly asked if the Commission members had any questions.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

Commissioner Tryon requested clarification about when Public Works review of the proposal for the dedication of any necessary easements would take place.

Director Raymond responded that utility or access easements would be determined once the department receives the final design for construction and renovation of the property.

Commissioner Wolff noted that at a prior meeting a person talked about wanting a sidewalk to make it easier for people to access the park area and be able to continue to use that as a walking area.

Director Raymond responded that specifics about the sidewalks that will exist once the project is complete are set forth on page 3 of the agenda report.

Mayor Kelly asked if there were any comments from the public in favor of Resolution 10442, Ordinance 3241 and the Amended Plat.

**Barney Danishefsky**, Chairman of Neighborhood Council 9, commented that he was the one that raised concerns that Commissioner Wolff noted. He is happy to report that, after conversations with Superintendent Moore, the council is more than satisfied with what the School District has decided to do. They are putting in two gates on the north and south sides that will allow a path for pedestrian traffic through the practice field rather than going around the practice field. The sidewalk along the west edge of the new parking lot will also aid in pedestrian traffic.

**Jana Cooper**, TD&H Engineering, 1800 River Drive North, representing the School District, reported that TD&H and Superintendent Moore met with Neighborhood Council 9 at their last council meeting. The School District agreed to add an extra gate and a sidewalk to that gate from each of the north and south sides for pedestrians to get through the practice field. The Park and Recreation Department is planning to install some playground equipment. With regard to the council's suggestion of opening 18<sup>th</sup> Street North, she reported that the transportation planner at the Planning Department did not feel that would be the safest alternative.

With regard to easements, Ms. Cooper reported TD&H has been working with the Public Works department and have submitted plans. All of those easements will be included on the plats before recording.

Additionally, plans have been submitted to the Planning Department that are under review, and a bid opening is scheduled tomorrow on this project.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10442, Ordinance 3241 and the Amended Plat.

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

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10442 vacating 17<sup>th</sup> Street South between 3<sup>rd</sup> Avenue South and 4<sup>th</sup> Avenue South, and a portion of 4<sup>th</sup> Alley South.**

**JOURNAL OF COMMISSION PROCEEDINGS**  
**March 1, 2022**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**Commissioner Hinebauch moved, seconded by Commissioner Wolff, that the City Commission adopt Ordinance 3241 rezoning the subject properties and vacated right-of-way from Parks and Open Space to Public Lands and Institutional and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**Commissioner Hinebauch moved, seconded by Commissioners Tryon and Wolff, that the City Commission approve 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 applicant.**

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

Commissioner McKenney inquired who/what started this process.

Director Raymond and Deputy City Manager Anderson responded that the School District approached the City and discussions ensued about the School District's project that was going on at the high school and best future use.

Commissioner McKenney asked what property the City got in the land swap.

Park and Recreation Director Steve Herrig responded that the City obtained 10-acres from the School District located on the south side of the soccer complex on 57<sup>th</sup> Street.

Commissioner McKenney inquired if the land acquired by the School District was going to be used for parking.

Superintendent Tom Moore clarified that the original plan several years ago was to work with the City to enhance parking around Great Falls High School. It was one of the identified problematic aspects of having a large comprehensive high school in the middle of town and not having adequate parking. Kranz Park has always been one of those areas that seemed to be of interest to the School District for a variety of different things. A traffic study conducted several years ago indicated that the School District needed to acquire 200-300 additional spaces to remedy the problems there.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

As the bond project was completed at Great Falls High School and the School District looked at what they had to do to meet the requirements for new parking or enhanced parking places around the high school, they were not getting the number needed.

When the City approached the School District to talk about the land by the soccer complex, the City knew that the School District would want to talk about Kranz Park.

Initially the School District was looking at putting a parking lot in Kranz Park. The suggestion was made to build the parking lot next to and adjacent to Memorial Stadium and move the practice field across to what is now 17<sup>th</sup> Street and into Kranz Park to maintain green space. That particular notion gained momentum as the School District pursued the idea and presented it to the Neighborhood Council.

The School District has worked collaboratively with the City, neighbors around Great Falls High School and Kranz Park, and have come to a solution that benefits both the residents in that area as well as the School District and does not put a parking lot in what was once a park.

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

Motion carried 5-0.

**15. RESOLUTION 10443 GOLF FEES.**

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

Park and Recreation Director Steve Herrig reported that this item is a public hearing for consideration of Resolution 10443 to set the golf fees. Adoption of this resolution would repeal Resolution 10384 and set the new fee structure in place. As the Commission heard from Mike Sharp, CEO of CourseCo and Jeff Stange, Manager of both golf courses, during tonight's work session, the fee adjustments are a modest 2.5% to 2.8%. Adoption of the resolution will help keep the courses at the current operational level, but allow for increased costs for materials and labor.

Director Herrig noted a correction to page 3 of the agenda report. The golf board concurred with the proposed golf fees at its February 23, 2022 meeting.

Mayor Kelly asked if the Commission members had any questions.

Commissioner McKenney received clarification that the fee increase was due to inflationary price increases and to keep the maintenance of the courses at the current level and was not for expanded services.

Commissioner Tryon asked what would happen if the Commission did not adopt the resolution.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**March 1, 2022**

Director Herrig and CourseCo Golf Management President and CEO Michael Sharp explained that adoption of the resolution would allow management to continue what it started three years ago - continued pursuit of improvement, enhancing the course conditions, improving the hospitality, and expanding programs for the community. The last couple of years they have been able to see an increase in participation and activity at the golf courses. They need to continue to reinvest, and continue to buy the equipment to continue this momentum. What could happen if fees are not increased is a drop off in participation and in revenues, and they would inevitably have to make some cuts in hours of operations, not buying the equipment, and reducing the overall quality of the course conditions. They think that the guests playing the courses and eating at the facilities understand that the modest increases allow management to continue to enhance what they started.

Mayor Kelly asked if there were any comments from the public in support of or opposition to Resolution 10443.

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

**Commissioner McKenney moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10443 - Golf Fees.**

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

Mayor Kelly commented that it is remarkable that the increase is minimal, is under the current inflationary rate, and the absence of opposition is a sign that the golfing community is appreciative of the work that CourseCo has done.

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

Motion carried 5-0.

**16. RESOLUTION 10444 REVISING FEE SCHEDULE FOR GREAT FALLS FIRE RESCUE (GFFR) [ESTABLISHING FEES FOR PATIENT TRANSPORT COST RECOVERY] AND SUPERSEDING RESOLUTION 10436.**

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

Fire Chief Jeremy Jones reported that this item is a request to adopt Resolution 10444 revising the fee schedule for Great Falls Fire Rescue. On January 18, 2022, GFFR presented a cost recovery mechanism that would allow for GFFR to recoup 911 EMS transport costs. GFFR currently does not have any type of mechanism in place to recuperate costs for providing this service to the public.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

This service typically happens when there is a surge event within the system, which is defined as more calls than what is available to transport, when the private vendor is unable to meet the need. In 2015, GFFR conducted approximately five EMS transports. As of last year, GFFR was up to 74 transports. The need is ever growing. Adoption of the fees would help offset the purchase of a second ambulance so GFFR is not supplementing the purchase through other portions of their budget.

Mayor Kelly asked if the Commission members had any questions.

Commissioner McKenney commented that, now that GFFR has cost recovery, there is potential for competition with the private sector. He inquired if the City would have a subordinate position, meaning the private sector would be called first and, if there is a surge, then the City would step in.

Chief Jones responded in the affirmative. He added that GFFR is not in the 911 rotation. Meaning, when someone dials 911, GFFR is not sent out in a transport component. The only time that GFFR would upgrade to that is when the private vendor has no ambulances available to the system within our community. When that happens, GFFR does enter the rotation during the demand when no other units are available to transport patients.

Commissioner Tryon inquired if it was correct that the costs would be covered 100% or up to a good percent by the customer's insurance or Medicare and was responded to in the affirmative. There are all kinds of different pay vendor components. If the resolution is adopted, GFFR will be bringing a proposal forward for a third party vendor to perform the billing to the customer. The City does not have the expertise in the field of Medicare, Medicaid and insurance billing to be able to provide that service internally, let alone by the Fire Department. GFFR's recommendation will be to contract that out and then pay a certain fee based on the cost recovery of what they garnered back.

Mayor Kelly asked if there were any comments from the public in support of or in opposition to Resolution 10444.

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

**Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10444 revising the fee schedule for Great Falls Fire Rescue.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. He expressed appreciation to Chief Jones for his work on the cost recovery needed to make GFFR work better and more efficiently.

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

Motion carried 5-0.



**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022****OLD BUSINESS****17. CHANGE ORDER NO. 1 TO SWANK ENTERPRISES FOR THE INDOOR AQUATICS AND RECREATION CENTER. OF 1770.0**

Park and Recreation Director Steve Herrig reported that staff is recommending that the City Commission approve Change Order No. 1 in the amount of \$244,655 in deductions to Swank Enterprises for the Indoor Aquatics and Recreation Center and authorize the City Manager to execute that change order.

On November 2, 2021, the Commission awarded a construction contract to Swank in the amount of \$18,349,000 that included the base bid and alternate 19 (the large slide) for the recreation center. At that time, it was also said that staff would go back to the subs to see if there was any value engineering that could get the City back closer to budget. Staff worked with the subs to see what they could come forth with. Some of the items were not endorsed by the expert consultants Water Technology, Nagle Sports, and Morrison-Maierly of Missoula. The project is still about \$102,000 over budget for a waterline relocation, Tribune ads, DEQ permits, NorthWestern Energy moving power, and the internal engineering fees. Staff will be continuing to look elsewhere for other dollars to add back. The list of items is the bare bones that could be done without disturbing the integrity of the building. All of the consultants are on board with the list of deductions.

**Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission approve Change Order No. 1 to Swank Enterprises in the amount of \$244,655 deduction for the Indoor Aquatics and Recreation Center, and authorize the City Manager to execute the change order documents.**

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Wolff inquired if the City will be looking at increased maintenance costs down the road due to those changes. She also inquired if energy savings in the design and/or changes were considered.

Director Herrig responded that the consultants did not feel that these proposed changes were going to change the integrity of the building. The changes are in the different types of systems that would be going into the facility and are still very adequate as far as operating the facility itself. He also explained that \$37,000 was an add on for a better roof system.

**Timothy Peterson**, President of LPW Architecture, 15 5<sup>th</sup> Street South, added that one of the largest roofing companies in the United States that is now starting to do work in Montana suggested that the DensDeck might degrade over time and suggested this new system to completely incase the pool and won't degrade over time. There were deducts proposed for pump changes, but the consultants suggested staying with the original specifications. The building will not look any different than the renderings. He concluded that it is standard practice to go through this process. He is really happy with Swank and the subcontractors for holding their prices as long as they have.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

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

Motion carried 5-0.

**NEW BUSINESS****18. PROFESSIONAL SERVICES AGREEMENT: SPONSORSHIP/FUNDRAISING SERVICES (OF 1770.0).**

Park and Recreation Director Steve Herrig reported that staff is recommending Commission approval of this Professional Service Agreement with Bannack Group, LLC, of Bozeman, for sponsorship/fundraising services.

In December, staff issued a Request for Proposals (RFP). Three responses were received from Great Plains Sponsorships out of Sioux Falls, South Dakota, Bannack out of Bozeman, and the Superlative Group out of Cleveland, Ohio.

A committee reviewed and rated each response to the RFP. Bannack was at the top of everyone's list. Bannack has some familiarity with the area and understands the dynamics of Great Falls. Bannack works off of a flat rate of \$7,500 per month versus the other two companies that work off of percentages. Staff used the baseline of \$1 million dollars to compare pricing. If the goal of \$1 million dollars was met in a year, Bannack would be paid \$90,000. Great Plains would have been paid approximately \$300,000 and the Superlative Group had options of \$225,000 or \$257,000.

Bannack is a local company and understands our economy. They are excited to work with us and will help this project get back within budget. The hope is to be able to pull several items from the alternatives list. Award of this agreement will provide for logos on certain items, scoreboards, diving platforms, and the facility itself. There are no guarantees. Great Plains and Bannack both felt that the timing was right and that the City should not have any issues when it comes to these efforts.

The list of 21 remaining alternates was attached to the agenda report. The top 12 were also submitted for CARES and ARPA funds. The top 12 alternates amount to approximately \$923,000. They are still waiting on a firm answer with regard to the military training equipment. The military will be able to do their basic training in the facility and the facility will be prepped for this enhanced equipment if they decide to come up with the funding for that purchase.

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission approve a Professional Services Agreement with Bannack Group, LLC for Sponsorship/Fundraising Services for the Indoor Aquatics and Recreation Facility, and authorize the City Manager to execute the agreement.**

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Tryon inquired if the training equipment could be provided by the military.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

Director Herrig responded that the project liaison at Malmstrom has been informed that, unless the fundraising really goes overboard, the amount for the military training equipment will be their responsibility.

Commissioner Tryon inquired what Director Herrig meant by “other operational needs” of the Park and Recreation Department.

Director Herrig responded that his goal is to work within this fundraising project a scholarship program so that every community member that would like to use the facility has that ability.

Commissioner Tryon asked if there were any benchmarks in fundraising that Bannack would have to reach per month or per quarter set forth in the terms of the agreement.

Director Herrig commented that he will be meeting with Bannack fairly quickly and will set forth the goals that staff wants Bannack to achieve. If staff is not seeing results, the City can get out of the month-to-month agreement with Bannack. Director Herrig will provide a follow up report to the Commission.

Director Herrig also explained that the funding would come from the Park Trust or from the sale of the City’s land to Pasta Montana. He is confident that the payback will cover the amount that will be paid to Bannack in a short term.

Mayor Kelly received clarification that the tax-deductible donations will go through the People’s Park and Recreation Foundation.

Commissioner McKenney inquired how the additional expenses, including travel, submitted for payment would be monitored.

Director Herrig clarified that any travel expenses, marketing, etc., has to have prior approval by him.

Commissioner McKenney also reiterated that, if Bannack is not performing at any time, the City could provide a 60-day notice to cancel the agreement. Director Herrig added that the automatic one-year extension would have to be approved as well.

Manager Doyon pointed out that on page 3 of 15 it sets forth that the Bannack Group will report on progress toward goal at least monthly. In addition, the Bannack Group shall maintain a “gift tracker” which details contributions and pledges in support of the goal.

Commissioner Wolff added that she has had some experience working with some of these people from fundraising activities at Montana State University, and they do achieve results.

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

Motion carried 5-0.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022****19. SOUTHSIDE WATER MAIN REPLACEMENTS – PHASE II (OF 1648.1).**

Public Works Director Paul Skubinna reported that this agenda item is consideration of awarding a construction contract for the Southside Water Main Replacements – Phase II to United Materials in the amount of \$1,991,450.00. This project will replace 13 blocks of water main at a total length of just over a mile along 1<sup>st</sup> Avenue South, from 9<sup>th</sup> Street to 13<sup>th</sup> Street, 2<sup>nd</sup> Avenue South from 9<sup>th</sup> Street to 15<sup>th</sup> Street, and 12<sup>th</sup> Street from 4<sup>th</sup> Avenue South to 1<sup>st</sup> Avenue South. For the 10-year period from 2002 thru 2011, the City had five water main breaks in this service area. During the subsequent 10-year period from 2012 thru 2021, the City had 14 water main breaks in this service area with three of them happening in 2021. The escalating water main breaks have caused private property damage, interrupted traffic and water service to residents and businesses. Based on our records the water mains being replaced were installed in 1891, 1903 and 1919.

Considering the geography of this project there will be some impacts to the local area during construction. 1<sup>st</sup> and 2<sup>nd</sup> Avenues South are important transportation routes. To try and minimize inconveniences, restrictions have been placed on the contractor that will decrease the length and duration of detours and closures. Along with that, the contractor is required to maintain at least on open lane at 1<sup>st</sup> Avenue South and 9<sup>th</sup> Street to make sure emergency operations are not hampered.

This project has been prioritized, programmed and budgeted as part of the capital improvement program. United Materials provided the lowest responsive bid and there is a definite operational need to go forward with the project.

**Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission award a contract in the amount of \$1,991,450 to United Materials of Great Falls, Inc. for the Southside Water Main Replacements – Phase II, and authorize the City Manager to execute the contract documents.**

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly inquired if there was a plan in place to take inventory of connectors during this project.

Director Skubinna responded that any time they are doing a water main project inventorying connectors has been a practice. As a general rule, when lead or galvanized service lines are discovered, as part of the project those lines will be replaced up to the curb stop.

Mayor Kelly inquired if there was a coordinated effort with the County and State pertaining to street projects.

Director Skubinna responded that staff meets quarterly with the Montana Department of Transportation and they have resumed meetings with Cascade County to discuss projects on the docket so that coordination is taking place.

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

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

Motion carried 5-0.

**20. GREAT FALLS INTERNATIONAL AIRPORT FUNDING COMMITMENT – SMALL COMMUNITY AIR SERVICE DEVELOPMENT GRANT (SCASD).**

Mayor Bob Kelly reported that this item would be the second time for the Commission to consider designating ARPA funds. At the last meeting, due to a grant proposal deadline, the Commission approved having matching funds available for a Historic Preservation grant that was being submitted to do work in the Civic Center Theater for seats and the ceiling.

Tonight, the Commission is in the same situation. Great Falls is in dire need of getting more airlines here so that the businesses that are coming to Great Falls will be able to access the community in a timely and efficient way. To that point, there is a grant application due by March 15<sup>th</sup>.

He asked for this item to be put on the agenda so that the Commission could come to a decision after having a discussion in public whether to allocate some ARPA funds to be applied to this low cost airfare initiative.

**John Faulkner**, Airport Director at the Great Falls International Airport, reported that the flying industry and in particular, the small community flying industry, is experiencing a significant pilot shortage. There was a pilot shortage going into Covid. In order to help with cash flow issues many of the airlines allowed some early retirements on the onset of Covid that has further frustrated that issue. In addition, the 50-seat jet, which is the majority of the airplanes seen in Great Falls for several decades, is quickly retiring and will be completely out of the fleet in the next 10 to 15 years.

Oil is surging towards \$100 a barrel again, which is further making the 50 seat jets less efficient, more costly to operate and markets like Great Falls less profitable. This unique threat in the industry, coupled with Great Falls' stagnant population growth for 30 years, means the airport had roughly 500 seats of demand for that 30-year period.

Realistically, GFIA has to transition into the 737 airbus sized airplanes, which is around 180 seats. This means GFIA is more likely to have one airline and several flights a day in the future, if everything remains static.

Forty communities have lost all of their air service in the last 10 years as the regional jets have retired. Since the onset of Covid, about 80 markets have lost at least one route. Great Falls lost Minneapolis. Helena also lost Minneapolis. Watertown, South Dakota lost all their air service just two years ago at the onset of Covid. The next 10 years will be pivotal for communities like Great Falls as to whether or not we will continue to have air service.

GFIA has worked hard the last 10 years with the Great Falls Area Chamber of Commerce to put together the first low cost airfare initiative. Initially, it brought in Frontier Airlines that brought airfares down significantly. The airport saw its busiest four years while Frontier was here. GFIA was successful with that first incentive program. With the money remaining, GFIA wrote a

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

SCASD grant at the end of the Frontier service, which brought in Chicago flights. Those Chicago flights over the course of four years were very successful.

GFIA finds itself back at the time again where they need to incentivize the market. They have a plan going ahead, and it is going to involve bringing in an additional airline. They need to diversify the air market that will help with fares, and will begin to draw back many of those passengers that are leaking out of our community into other Montana communities to fly. They are doing that because of fares or the opportunity to have a direct flight to a community that they are trying to get to.

During Covid, Canada lost a lot of its service. Lethbridge lost Air Canada. As the border normalizes, there will be an opportunity to draw even more of that Canadian traffic to our community.

The Small Community Air Service Development (SCASD) grant program will allow GFIA to more or less double that money. It is a competitive grant. He cannot say exactly how much might be awarded, but he is confident that the need is for about \$600,000 in air service incentives over the next couple of years.

Airport Director Faulkner further commented that it is essential to bring in one, two, or maybe even three low cost carriers over the next couple of years to begin to lower the cost of airfare and create leisure travel opportunities.

Bringing those low cost services into Great Falls combined with the additional carriers is going to bolster our tourism numbers. What he has seen throughout the remainder of Montana is that the keystone for a lot of growth was due to American Airlines being brought in to those communities.

The air service market in Montana has had a massive shakeup in the last several years. The largest airport by far right now is Bozeman, Kalispell is number two, and Missoula is number three. Those are the airports that have been most aggressive with their air service incentives. Realistically, there are no communities getting new air service without an incentive.

Director Faulkner concluded that realistically this is the wind in their sails that is going to keep air service in the community for the next 10 to 20 years.

**Shane Etzwiler**, President and CEO of the Great Falls Area Chamber of Commerce, explained the Chamber's role in this process. This first initiative started in 2011. FAA rules prohibit the airport from any fundraising activities. The Great Falls Chamber Foundation is under the Chamber umbrella and is the fundraising vehicle used to accept checks or fundraising monies. When an airline or a route is targeted, he works closely with Airport Director Faulkner to work on a contract. In the past, the SCASD grant has been a two for one match. For example, if GFIA had to pay \$50,000, SCASD funds in the amount of \$100,000 would be added if that is what was owed at the end of the season.

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission allocate \$150,000 of ARPA Funds to the Great Falls International Airport Low Cost Airfare Initiative SCASD grant.**



**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly asked Chamber President Etzwiler to explain the Chamber's process in the community to raise funds to get to a critical number.

Chamber President Etzwiler explained that they work with an airport consultant to prepare the competitive grant. This \$150,000 allocation would help them meet their baseline goal. That information will be given to the consultant so he can finish writing the grant. They have a lot more community support this time that includes about 60 businesses and nine individuals. Showing the City is also supporting this effort speaks well to the grant application that will be submitted.

Mayor Kelly commented that this allocation would take them to approximately \$450,000, or mid-range between their \$400,000 - \$500,000 goal. He inquired if the Chamber could raise more funds to get to that half million dollar critical number.

Chamber President Etzwiler responded there are a few companies that were waiting that will be contacted. Other communities are raising \$1,000,000+ dollars. He commented that we need to start having a mindset of prosperity instead of a mindset of scarcity. This allocation gets them closer towards the goal of where they really need to be.

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

Commissioner McKenney inquired how hard it was to get a provider to come back.

Airport Director Faulkner responded once they go, they almost never come back.

Commissioner McKenney inquired once GFIA attains its goal, how long does Airport Director Faulkner expect the grant money to last.

Airport Director Faulkner responded that he is confident that they can make this money last for about a 10-year period in order to get them through the SCASD grant and potentially beyond that with one or two more of the low cost carriers at the tail end of that SCASD grant.

Commissioner McKenney inquired if Great Falls was not being proactive in addressing this issue, would Great Falls be in real danger of spiraling down to a place we do not want to be when it comes to air service and was responded to in the affirmative. Airport Director Faulkner added that if Great Falls has only that same demand of 500 seats, they would likely have to consolidate down to a hub or two and three flights a day. Without growth, without incentivizing the market, and without trying to build, it is likely Great Falls would be down to one carrier a day.

Commissioner Tryon commented that the information contained in the agenda report is kind of depressing and eye opening with regard to the stagnant growth of Great Falls. He inquired how the tourist industry would affect the statistics as set forth in the agenda report.

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022**

Airport Director Faulkner responded that airlines know what to program in our community. They have known what to program for a long time and they know where the prices have to be. What he knows is Great Falls is not getting a second look from those airlines right now. Bozeman is a great example. Ten years ago, Bozeman was about a third of where they are now in air traffic. That airport will enplane over a million people this year and with that is a tremendous amount of local spending. Great Falls rental cars is a \$50 million dollar a year market.

One of the targeted carriers indicated it was confident that this hub we're bringing to your community will fill the plane. It is going to be all inbound folks trying to get to Montana from this hub. That is the power of this flight. Every single plane that comes in brings in 90 people. When that is running three days a week for 10 weeks, thousands of new people are being flown into our community that also creates an economic impact in our community. That is really what will make the difference. We have to build that tourism industry. We have to catch the same wave that the rest of the state has caught and build that tourism industry here using imported money into our community to help support our restaurants and retail businesses.

Commissioner Tryon requested clarification about the City's proposed allocation and the grant match.

Airport Director Faulkner explained that as the SCASD program has progressed, it has become more competitive. As a community, we have to say what we are willing to offer and pick what match we are asking for. They evaluate the entire proposal to see what the best proposals are. The consultant is confident that GFIA can ask for 50/50.

Commissioner Tryon inquired how GFIA expends that money to get the low cost airfares.

Airport Director Faulkner responded that, if successful with the grant award, he would be contacting the targeted airlines. GFIA would enter into a direct contract with the target airline for a profit guarantee. The funds cannot be used for administrative expenses.

Commissioner Tryon inquired if the City's allocation is approved tonight and GFIA is not successful in obtaining the grant, would the City get its money back.

Airport Director Faulkner responded that, likely, GFIA would still use the money for the same purpose.

Mayor Kelly and Commissioner Wolff disclosed that when GFIA sent a request out to the community for funds they both sent checks to GFIA. Both recused themselves from voting on this matter.

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

Motion carried 3-0-2 (Mayor Kelly and Commissioner Wolff abstaining).

**ORDINANCES/RESOLUTIONS**

**JOURNAL OF COMMISSION PROCEEDINGS****March 1, 2022****21. RESOLUTION 10449, REQUESTING SUPPORT AND RESOURCES FROM MONTANA'S CONGRESSIONAL DELEGATION TO ADDRESS RECOMMENDATIONS AND ACTION ITEMS FROM THE 2021 GREAT FALLS CRIME TASK FORCE.**

City Manager Greg Doyon reported that this resolution is a formal community request to Montana's congressional delegation. The Crime Task Force received a multitude of briefings from the Violent Crime Task Force, HIDTA, Probation and Parole, and federal law enforcement including DEA. The one clear driver for most of the crime in the community is the illicit drug activity. Not only does the use of drugs have an impact on the person and their loved ones, but the theft that's associated with sustaining the addiction that comes with it. There is physical violence, use of weapons, and all kinds of things that go into this cycle driven by drugs.

Manager Doyon commented that we have to be realistic about what the Great Falls Police Department's capabilities are. They cannot take on Mexican drug cartels and they have a very limited ability to prevent drugs from entering the city.

In fact, during the Great Falls Crime Task Force presentations we all heard about how much illicit drugs come in through regular mail and specialized mail services. Obviously, there is a lot of drug activity currently flowing over the border. Adoption of the resolution is asking our congressional delegation to hear our concerns, not only about our community but really the entire state. The DEA agent articulated about the penetration of the cartels into the Native American reservations, and that it is clear that a lot of drug activity comes into Great Falls and also into the smaller communities.

The request is for our congressional delegation to take a more aggressive position when they are arguing for budget or for law enforcement. The DEA agent indicated during a Crime Task Force presentation that more agents are needed here. Unfortunately, the national focus tends to be on the borders in larger urban areas where there is more drug activity.

The resolution includes specific requests and ideas for our congressional delegation. Hopefully, they would see it prudent to hear our concerns. Doing it in this formal way really requires a response from them.

**Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission adopt Resolution 10449.**

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner McKenney commented this is a good first step. He reminded the Commission and the community that Great Falls needs a long-term plan to address more local law enforcement, and the domino effect for more judges, prosecutors and support staff, and available jail space for repeat and violent offenders. Another item to address is the root cause of most crime, alcohol and drug addiction. Community resources will need to be supported that do the treatment, counseling and rehabilitation. It needs to be talked about and will require funding of some sort.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**March 1, 2022**

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

Motion carried 5-0.

**CITY COMMISSION**

**22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**23. COMMISSION INITIATIVES.**

None.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Commissioner Hinebauch, to adjourn the regular meeting of March 1, 2022, at 9:22 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

**Minutes Approved: March 15, 2022**



Commission Meeting Date: March 15, 2022

**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	FEB 19, 2022 - MAR 2, 2022	612,884.99
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS	FEB 17, 2022 - MAR 2, 2022	1,049,162.24
MUNICIPAL COURT ACCOUNT CHECK RUN FOR	FEB 2, 2022 - FEB 28, 2022	68,985.00
<b>TOTAL: \$</b>		<b><u>1,731,032.23</u></b>

**SPECIAL REVENUE FUND**

**SUPPORT & INNOVATION**

GREAT FALLS TOURISM BUSINESS IMPROVEMENT DISTRICT	TBID MONTHLY REIMBURSEMENT JAN 2022	59,955.00
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**PARK DISTRICT**

SWANK ENTERPRISES	INDOOR AQUATIC & RECREATION CENTER CONSTRUCTION	314,317.92
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**CAPITAL PROJECTS**

**CD ADMINISTRATION**

TALISMAN CONSTRUCTION SERVICES	CIVIC CENTER FAÇADE	142,732.16
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**ENTERPRISE FUNDS**

**WATER**

STATE OF MONTANA	COMMUNITY CONNECTION FEE	43,282.00
THATCHER COMPANY OF MONTANA	2021-22 ALUM / CHLORINE	31,169.62

**TRUST AND AGENCY**

**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	51,554.84
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**PAYROLL CLEARING**

FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE &	52,310.43
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STATEWIDE POLICE RESERVE FUND	EMPLOYER CONTRIBUTIONS	
	POLICE RETIREMENT EMPLOYEE &	67,439.66
	EMPLOYER CONTRIBUTIONS	
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT	127,400.95
	EMPLOYEE & EMPLOYER CONTRIBUTIONS	
US BANK	FEDERAL TAXES, FICA & MEDICARE	196,173.48
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	25,121.05
STATE OF MONTANA PLUMBERS	EMPLOYEE CONTRIBUTIONS	46,180.00
<b>CLAIMS OVER \$25000 TOTAL:</b>		\$ <u>1,157,637.11</u>



**CITY OF GREAT FALLS, MONTANA****COMMUNICATION TO THE CITY COMMISSION****DATE:** March 15, 2022

**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>	Public Works	Cascade County, operating the Cascade County Weed Management District	03/2022- 03/2023	Each party responsible for funding its own noxious weed management activities	Annual Interlocal Agreement and Noxious Weed Management Plan directed at identifying, mapping, treating, monitoring, limiting the spread of, and if possible, eradicating noxious weed infestations within the City
<b>B</b>	Planning and Community Development	Montana Legal Services Association	03/15/2022 – 06/30/2023	\$16,000	City of Great Falls 2021/2022 Community Development Block Grant Agreement to provide free civil legal assistance to low

					income individuals in an effort to prevent eviction and homelessness (CR 070621.35 Commission adoption of program year 2021 Annual Action Plan)
<b>C</b>	Planning and Community Development	Big Sky Select Properties, LLC	Through completion of Licensee's construction project	N/A	Temporary Access License granting a non-exclusive license for the limited purpose of allowing Licensee to temporarily use the City's property for the purpose of facilitating construction activities on Licensee's adjoining/adjacent property, which may include the presence and storage of construction material and access for vehicles and workers (CR: 081820.11 and 102020.8C)
<b>D</b>	Planning and Community Development	Big Sky Select Properties, LLC	Perpetual	N/A	Amendment No. 1 to Grant of Easement providing for utility easements, access and utility easement, and a landscape and utility easement across Sight and Sound Park, parcel in the NE1/4, Section 11, T20N, R3E (CR: 081820.11 and 102020.8B)
<b>E</b>	Planning and Community Development	Big Sky Select Properties, LLC		N/A	Release of Easement recorded document R039771 ES on October 28, 2020 that was duplicative of another easement form filed at approximately the same time with

					an incorrect exhibit attached (CR: 081820.11 and 102020.8B)
<b>F</b>	Finance – Grant Admin	MT Gems, Inc.  Montana Department of Commerce	03/02/2022	\$24,300 BSTF Grant Funds	Business Assistance Planning Grant Contract to comply with the Big Sky Economic Development Trust Fund (BSTF) Program funds awarded to assist MT Gems with a feasibility study to evaluate the expansion of facilities and employees; Exhibit A – Ratification of the Montana Department of Commerce Contract # MT-BSTF-2-22-21; Exhibit B – Agreement between MT Gems, Inc. and Faccenda Architects Planners (CR: 061521.19)



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Professional Services Agreement with Pintler Billing Services, LLC.

**From:** Great Falls Fire Rescue

**Initiated By:** Great Falls Fire Rescue

**Presented By:** Jeremy Jones, Fire Chief

**Action Requested:** Consider and approve a Professional Services Agreement with Pintler Billing Services, LLC for Great Falls Fire Rescue Transport billing fees.

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/ not approve) a Professional Services Agreement with Pintler Billing Services, LLC to provide patient billing services for 911 Emergency Medical Service (EMS) transports performed by Great Falls Fire Rescue.”

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

**Staff Recommendation:** Staff recommends approving a Professional Services Agreement for 911 EMS transport billing with Pintler Billing Services, LLC. .

**Summary:** Great Falls Fire Rescue has been providing 911 EMS transports during “surge” events for over 10 years. In 2015, GFFR transported 5 EMS patients to the emergency department due to no availability of a private vendor to conduct the EMS transport. In 2021, this number had increased to 74 patient transports because of no private vendor availability. The increase in 911 EMS transports has made an impact on the GFFR operating budget in terms of disposable goods used and equipment needed to provide this service.

During the March 1, 2022 City commission meeting, the Mayor and Commissioners approved Resolution 10444 which set a fee structure for GFFR when 911 EMS transports are conducted. With the passing of this resolution, GFFR can now bill for 911 EMS transport services as a cost recovery mechanism to help offset the costs of providing 911 EMS transports during times of “surge” to the City of Great Falls’ EMS system.

**Background:** The City of Great Falls currently has an agreement with Great Falls Emergency Services to provide pre-hospital emergency medical care and transport services. Great Falls Fire Rescue has been providing supplemental 911 EMS patient transport when GFES has no ambulances/staff available to provide coverage for a 911 call. Under those circumstances, GFFR enters the 911 EMS patient transport

rotation to alleviate the “surge” of 911 EMS calls by conducting a patient transport with Advanced Life Support care to the receiving hospital.

GFFR is required to generate a patient care report (PCR) detailing the care and treatment for every patient encounter. These PCR’s are submitted to the receiving facility and become a part of patient’s medical record. With the generation of these reports, it allows for Pintler Billing Services, LLC to ascertain the level of service rendered to the patient by GFFR and bill for the services provided. Third party billing will create no additional work load impact on GFFR staff.

**Evaluation and Selection Process:**

The proposed vendor, Pintler Billing Services, LLC, currently has contracts with other municipalities and EMS services within Montana for providing medical billing services. They have extensive knowledge and expertise in working with Medicaid and Medicare reimbursement practices along with the other payers in the insurance industry.

**Fiscal Impact:** Costs to enter this agreement include a one-time startup fee of \$500 and \$500 per month or 8% of all revenue received, whichever is higher, through the billing administered by the vendor. The additional revenue will provide the means for GFFR to replace consumable items used during these calls.

**Alternatives:** Reject the Professional Services Agreement and continue to use other areas of GFFR’s budget to supplement the 911 EMS patient transport service.

**Concurrences:**

The Finance and Legal Department have been involved with this process.

**Attachments/Exhibits:**

Pintler Billing Services, LLC contract  
Professional Services Agreement PBS, LLC  
Resolution 10444  
Billing Overview from Pintler Billing Service, LLC  
Pintler Billing Policies

## Exhibit "A" Scope of Services

### Pintler Billing Services, LLC

P O Box 2458 ~ Eureka, MT 59917  
 (406) 889-5882 office ~ (866) 340-2505 office  
 (406) 889-5233 fax ~ (866) 563-2505 fax  
[www.pintlerbillingservices.com](http://www.pintlerbillingservices.com)

#### ASSURANCES:

- Pintler Billing Services, hereinafter "Billing Service" and City of Great Falls, hereinafter "Service" will each be responsible for maintaining compliance with all applicable State and Federal laws governing their respective activities as outlined in the Professional Services Agreement and Scope of Work, hereinafter "Agreement", without extension to the other party. Service accepts responsibility for knowledge of regulations and applicable laws, and further warranties that patient care provided by, and activities performed by Service are compliant with current HIPAA law, OIG regulations and guidance, and any other applicable laws and ethical standards as recognized by the State of Montana and United States government. Billing Service is not responsible for the compliance of Service, and by submitting data for billing to Billing Service subsequent to signing the Agreement, Service is accepting full responsibility for all compliance requirements and corresponding repercussions. Billing Service accepts only responsibility for knowledge of regulations and applicable laws as they apply to Billing Service activities, and further assures Service to maintain the highest level of compliance possible through continued training and education, and certification of at least one staff member as a Certified Ambulance Compliance Officer (CACO) through National Academy of Ambulance Compliance (NAAC).

#### SERVICES:

- Billing Service will receive billing documents and other pertinent information from Service by US mail, secure web portal, electronic PCR software, fax, or in person *at least weekly* unless other arrangements have been made and both parties have agreed upon a change in delivery. Service shall provide Billing Service with true and accurate billing information, including, but not limited to: patient demographic information, patient insurance company information, complete narrative information allowing Billing Service to choose diagnosis and procedure codes, payments and insurance remittance received, referral or authorization numbers and/or documents, and/or other necessary medical documentation. Service also agrees to provide Billing Service with any new/updated information within one week of receipt of information. Service warrants that all information provided for billing purposes will be true and accurate to the best of their knowledge. Service will keep original documents and provide Billing Service with clear copies in either paper or electronic form. All documents provided to Billing Service will become the sole property of Billing Service. Billing Service maintains electronic copies of all billing documents utilizing a remote back-up service that automatically backs up all data nightly. *Delivery and Receipt of PCR information:* In the event that Service selects an electronic PCR solution, Service agrees that the sole responsibility for maintenance of the relationship, including subscription, passwords, and administration, belongs to Service. Assignment to Billing Service by Service

- within electronic PCR software shall constitute delivery of information to Billing Service. Service agrees to provide access to Billing Service, and agrees that a lapse in the access or subscription to the electronic PCR software shall void Billing Service duties to retrieve billing information.
- Billing Service will process and submit Service's claims, electronically or on paper (as required by payer), to insurance carriers on a schedule that will be upon receipt of billing information and never more than 5 days after billing information is received by Billing Service from Service, provided billing information is complete upon receipt as detailed above and is received from Service on a regular schedule of at least weekly. Billing Service will bill patients monthly for co-payments or private payments due to Service. Claims submitted will be tracked and any delinquent claims will be pursued by Billing Service. Aging reports will be generated monthly and past due claims and patient accounts will be investigated. Payment plans for patients, if established by Service policy, will be tracked and delinquent patient accounts will be presented in report form to Service for consideration referral to an outside agency for collection action. At the direction of the Service, Billing Service will negotiate payment plans with patients and/or supply patients with a financial hardship waiver request form. Past due accounts will be sent to Centron Services, a Montana collections agency (or agency of Service selection), at the direction of the Service. Negotiation requests from insurance companies will be handled according to the policies established by Service.
  - Billing Service will generate monthly reports detailing activity related to claims and patient billing, including: aging, total revenue, total charges, patients receiving statements, and any others agreed upon between Service and Billing Service. Billing Service will provide a telephone number for questions and inquiries from patients. All questions from patients and staff will be answered promptly by Billing Service.
  - Billing Service will perform verification of patient benefits for Service upon receipt of complete patient insurance and demographic information. Service will be responsible for prior authorizations and/or referral procurement where required prior to transport, although Billing Service shall inform and educate Service of requirements for authorizations and referrals whenever possible. Billing Service is not responsible for denied claims due to policy exclusions, benefit limits, etc.
  - Billing Service will investigate and, as necessary, dispute any refund requests by insurance companies made to Service. In the event that a refund is due, Service agrees to pay refund amount to insurance company, patient, or other party to whom the funds are due within the time frame required by law. Billing Service shall refund percentage billed to Service, if any, on amounts collected by, and subsequently refunded, by Service.
  - Billing Service will provide a PO Box as a payment address for remittance of physical payments. Billing Service will collect mail from PO Box daily and payments received for Service will be deposited in Service's account biweekly via US Mail. Service will provide deposit slips and deposit stamp to Billing Service, and Billing Service will deposit physically or via US Mail depending on bank location of Service. A detailed report of all deposit items will be sent via secure web portal to the Service office for reference and archival purposes. At the request of Service, a separate notification will be sent to any County Treasurer's office or representative.

#### **CHARGES:**

- Service agrees to pay Billing Service for herein described services at a rate of 8% of the amount received by Service from all revenue it receives as a result of Billing Service efforts OR a minimum of \$500/month, whichever is more. Billing Service will provide Service a monthly statement and monthly reports detailing all transactions that have occurred during the previous month. Billing Service will invoice Service at the beginning of each month for claim payments received during the previous month. Payment will be due within ten (10) days of Service's receipt of the invoice.
- Service will also be responsible for claims submission charges and cost of sending patient statements. These charges may not exceed \$1.50 per patient statement per month and the

clearinghouse charge of \$33.00 per month. These described costs will be detailed in a monthly invoice and may not exceed reasonable and necessary costs for processing claims and procuring payment for Service. In the event that additional services are requested by Service an addendum to this Agreement will be executed.

- Service will be responsible for a one time start up fee (to include assistance with enrollment with Medicare Part B, enrollment with clearinghouse, as well as, guidance and assistance in choosing an e-PCR solution) for a total charge of \$ 500 payable with first invoice.
- Service agrees to pay Billing Service within ten (10) working days from date of invoice. Billing Service reserves the right to suspend billing for consistent non-payment by Service. Billing Service and Service shall retain the right to review and possibly negotiate different terms as circumstances dictate. Any changes to the rate will be addressed in an addendum to this Agreement. Billing Service reserves the right to alter the rate of compensation upon submission of sixty (60) days written notice to Service.

**WARRANTY:** The warranty of Billing Service under this Agreement shall be limited to the re-running, at its own expense, of any inaccurate reports or claims, as errors become apparent and where inaccuracies were caused solely as a result of the performance of Billing Service.

**LIMITATION OF LIABILITY:** Service agrees that the foregoing warranty made by Billing Service in this Agreement is in lieu of all other warranties, expressed or implied, including but not limited to any implied warranty of merchantability, fitness or adequacy for any particular purpose or use, quality, productiveness or capacity. Service further agrees that Billing Service shall not be liable to Service or any person claiming through or under Service for any expense of any kind whatsoever or for any lost profits or damages of any kind whatsoever caused and in no event shall Billing Service be liable for loss of business or other consequential damages even if Billing Service has been advised of the possibility of such damages. Billing Service has no liability to Service if data or records maintained by Billing Service are destroyed by fire, theft, acts of God, or other cause. In the event of a Billing Service computer system malfunction, for whatever reasons, or inability to access computer, Billing Service shall not be liable for damage to or loss of any Service data that has been entered into the computer system. However, Billing Service will use its best efforts to minimize the possibility of such damage to or loss of Service data by use of regular computer backup procedures. Service agrees to hold Billing Service harmless from any liability resulting from violations of state or Federal regulations relating to the extension of credit or handling of accounts receivable directed by policy of, or direction from, Service. Service agrees to aid in the defense of Billing Service in any such state or Federal proceeding. Billing Service certifies to Service that Billing Service will maintain a Compliance Plan for third-party medical billing company compliance with state and Federal laws and regulations and will abide by the requirements therein.

**GENERAL:** The term "this Agreement" as used herein includes any future written amendments, modifications, supplements or schedules duly executed by Billing Service and Service. This Agreement will be governed by the laws of the State of Montana.

**Acceptance By:**

Pintler Billing Services

CITY OF GREAT FALLS  
Great Falls Fire Rescue

  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

Leslie Graves, Owner \_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Print your Name and Title

8/2/2022  
Date

\_\_\_\_\_  
Date



## PROFESSIONAL SERVICES AGREEMENT

**THIS AGREEMENT** is made and entered into by and between the **CITY OF GREAT FALLS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter referred to as "City," and **PINTLER BILLING SERVICES, LLC**, P.O. Box 2458, Eureka, MT 59917, hereinafter referred to as "Consultant" or "Billing Service."

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

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

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

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

4. **Payment:** City agrees to pay Consultant [Billing Service] for services set forth in the attached Scope of Services at a rate of 8% of the amount received by Billing Service from all revenue. Billing Service will provide a monthly report with monthly statement detailing all transactions that have occurred. Billing Service will invoice City at the beginning of each month for the previous months' claims. Payment will be due within 10 days of receipt of statement.

City will also be responsible for claims submission charges and cost of sending patient statements. These charges may not exceed \$1.50 per patient statement per month and the clearinghouse charge of \$33.00 per month. These described costs will be detailed in a monthly invoice and may not exceed reasonable and necessary costs for processing claims and procuring payment for City.

City will be responsible for a one time start-up fee (to include assistance with enrollment with Medicare Part B, enrollment with clearinghouse, as well as guidance and assistance in choosing an e-PCR solution) for a total charge of \$500 payable with first invoice.

City agrees to pay Billing Service within ten (10) working days from date of invoice. Billing Service reserves the right to suspend billing for consistent non-payment by City.

Any alteration or deviation from the described work or any extra charges must be agreed upon to by the parties in writing and set forth in an addendum to this Agreement.

Billing Service and City shall retain the right to review and possibly negotiate different terms as circumstances dictate. Any changes to the rate will be addressed in an addendum to this Agreement.

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

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

Consultant shall furnish the City with copies showing one of the following: (1) a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or (2) proof of exemption from workers' compensation granted by law for independent contractors.

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

City agrees to defend, indemnify, protect and hold the Consultant, its officers, employees, shareholders and agents harmless from and against any and all claims asserted, or liability established for injuries or damages to any person or property (including attorneys' fees), or losses and causes of action which may arise from or in connection with the performance by the City under this Agreement.

7. **Insurance:** Consultant shall purchase and maintain insurance coverage as set forth below. The insurance policy, except Workers' Compensation and Professional Liability, must name the City, (including its elected or appointed officers, officials, employees, or volunteers), as

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

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

- |    |   |   |
|----|---|---|
| 1. | Commercial General Liability<br>(bodily injury and property damage) | \$1,000,000 per occurrence<br>\$2,000,000 aggregate |
| 2. | Products and Completed Operations                                   | \$2,000,000   |
| 3. | Automobile Liability  | \$1,500,000 combined single limit                   |
| 4. | Workers' Compensation   | Not less than statutory limits                      |
| 5. | Employers' Liability  | \$1,000,000   |
| 6. | Professional Liability (E&O)<br>(only if applicable)                | \$1,000,000 per occurrence<br>\$2,000,000 aggregate |

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

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

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

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

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

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

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

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

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

14. **Liaison:** City's designated liaison with Consultant is **Jeremy Virts, Deputy Chief of EMS**, and Consultant's designated liaison with City is **Leslie Graves, Owner**.

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

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

CITY OF GREAT FALLS, MONTANA

PINTLER BILLING SERVICES, LLC.  
CONSULTANT

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Print Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By:   
Print Name: Leslie Graves  
Print Title: President  
Date: 2/8/22

ATTEST:

(Seal of the City)

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

APPROVED AS TO FORM:

By \_\_\_\_\_  
Jeffrey M. Hindoi, City Attorney\*

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

## RESOLUTION 10444

### A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, REVISING THE FEE SCHEDULE FOR GREAT FALLS FIRE RESCUE (GFFR) AND SUPERSEDING RESOLUTION 10436

**WHEREAS**, GFFR presented at the June 15, 2021 work session and the Commission subsequently adopted Ordinances pertaining to Safety Inspection Certificates and False Alarms; and

**WHEREAS**, the Great Falls City Commission adopted Resolution 10436 on January 18, 2022, setting forth fees for services provided by Great Falls Fire Rescue (GFFR), inclusive of the annual Safety Inspection Certificate (SIC) program re-inspection fees on deficient life safety systems and repeated false activation of fire alarm systems; and

**WHEREAS**, providing ancillary services or special circumstances are beyond the scope of those services covered by typical emergency work; and

**WHEREAS**, subsequent to GFFR's presentation of the Fire Rescue Ambulance Transport Cost Recovery at the January 18, 2022 work session, it was the consensus of the Commission for GFFR to pursue an agreement with a billing service with expertise and knowledge in Medicare, Medicaid and Insurance billing, for cost recovery of GFFR's increased ambulance transport role for the community.

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

- 1) Resolution 10436 is superseded by these terms.
- 2) Great Falls Fire Rescue service fees are set forth as follows:

#### Great Fall Fire Rescue (GFFR) Fee Schedule

#### REPORTS:

Incident Reports	\$11.00
Fire Investigation Report & Photos – BY SUBPOENA ONLY	\$100.00
Single page copies	\$0.25/page

#### FIRE INSPECTION FEES:

First Inspection	Covered by SIC
1 <sup>st</sup> Re-Inspection	Covered by SIC
2 <sup>nd</sup> Re-Inspection	\$200.00
3 <sup>rd</sup> Re-Inspection	\$300.00
4 <sup>th</sup> Re-Inspection	see OCCGF
	\$ 15.9.050

#### FALSE ALARM FEE:

3 <sup>rd</sup> False Activation in a 365-day time period	\$100.00
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**FACILITIES (daily rates):**

Training Center classroom ( <i>includes audio/visual equip</i> )	\$121 per day
Training Center facility ( <i>includes Tower, Roof/Burn Props</i> )*	\$286 per day
*Note: Burn prop requires GFFR supervision	

**APPARATUS (hourly rates – personnel costs not included):**

1 ALS Rescue Engine	\$224 per hour
1 Fire Engine	\$188 per hour
1 Aerial Apparatus 100 foot Pierce Platform	\$335 per hour
1 Command Vehicle	\$120 per hour
1 Rescue Vehicle	\$120 per hour
1 Hazmat Trailer w/equip	\$142 per hour
Hazmat supplies/tools	cost + 20%

**SERVICES OTHER:**

CPR Training Class	\$35 per student
Fire Water Line Flush	\$100 each

**PERSONNEL (regular hourly rates at cost to City):**

Current

1 Management	Current salary plus benefits
1 Command Officer	Current salary plus benefits
1 Company Officer	Current salary plus benefits
1 Firefighter	Current salary plus benefits

*\*Overtime hours will be calculated at the rate of 1.5 times regular rate*

**EQUIPMENT:**

Ladder testing (per ladder)	\$77
Hose repair (per length)	\$19
Repair parts	cost + 20%

**CASCADE SYSTEM – BREATHING AIR:**

30 / 60 min bottle filling with NFPA certified Air	\$24 per cylinder
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**PATIENT TRANSPORT COST RECOVERY**

**Advanced Life Support (ALS):**

ALS Emergency	\$1,050
ALS 2 Emergency	\$1,250
ALS Treatment w/o Transport	\$ 150
Oxygen	\$ 65
I.V. Supplies	\$ 68
ALS Routine Supplies	\$ 95
Intubation Supplies	\$ 98
Defibrillation Supplies	\$ 85
EKG Supplies	\$ 14

Mileage (per Loaded Miles) \$ 17.50

**Basic Life Support (BLS):**

BLS Emergency \$850

BLS Routine Supplies \$ 72

BLS Transport (per Loaded Miles) \$ 17.50

*Note: All rates are invoiced at a minimum of 1 hour and rounded to the nearest half hour.*

**BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA** that these fees shall become effective upon adoption. Great Falls Fire Rescue shall post the fee schedule on the GFFR webpage of the City's website.

**PASSED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, this 1<sup>st</sup> day of March, 2022.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

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

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeffrey M. Hindoiien, City Attorney



# **Overview of Billing Services**

## **Provided by:**



Thank you for considering Pintler Billing Services to provide your ambulance and response billing, collection, financial reporting, and analytical services. We are a complete revenue cycle management company specializing in serving EMS and fire agencies. Our goal is to bill your claims quickly and accurately to ensure a robust revenue stream for your company.

Billing for EMS services, and maintaining compliance, is becoming more complex. As your partner we provide ongoing crew training, support for rate and fee schedule development, assistance with insurance enrollments and re-enrollments, reports and data to allow analysis and better management of your service, and more. We meet you where you are, and are available in-person as well as via email, phone, and webinar format.

Pintler Billing Services has been providing EMS billing services and consulting for over 15 years, and in that time we have developed excellent procedures, invested in training and educating of our competent and well-qualified staff, and partnered with outstanding software vendors in order to be able to provide our clients with the very best service and revenue recovery results. We are a well-established company with a solid track record of steady growth and outstanding service.

The following pages contain a general overview of the services we provide, as well as the names and phone numbers of current clients. I am eager for you to speak with our references; our clients' satisfaction and their experiences with us are the best form of advertising we have. Thank you for your time and consideration, and for the important service you provide to your community.

Sincerely,

Leslie Graves, President

## **PCR (Patient Care Report)/Trip Report collection:**

1. Secure, HIPAA-compliant web portal for easy transmission of data (attachments, reports, deposits, etc.)
2. We work with several ePCR platforms (including EHR by ESO, Emergency Reporting, and ImageTrend) and will retrieve your PCRs directly from them

## **Billing:**

1. Pre-billing verification and discovery...coverage, eligibility & benefits verification PRIOR to billing, ensuring claims go to the correct payer
2. Sending correct claims speeds up time to payment, reduces take-backs and payer refunds, and enhances your revenue stream
3. Rapid billing (next day from assignment is common) speeds up payment time

## **Payments:**

1. EFT payments set up on your behalf whenever possible
2. Physical payments mailed to our PO Box for posting and deposit directly into your bank account
3. Credit card and payment portals for patients, and maintain and monitor these

## **Accounts Receivables/Claims Follow-Up:**

1. Claims are worked each month; insurance companies called after 30 days
2. Patient accounts receivables worked 30 days after first statement if no payment is received

## **Reports:**

1. Monthly reports supplied for your review and reference
2. Reports are available in multiple formats for ease of use

## **Agency/Crew Training & Support:**

1. Two focused trainings provided upon setup of billing; one for your crew and one for your leadership/supervisory staff covering documentation and billing best practices.
2. Documentation and compliance support provided daily as trip reports are reviewed and processed.
3. In-person or webinar-format training for your crew provided annually
4. Identify and provide feedback on focused topics of improvement and education
5. Compliance monitoring and support
6. Support for development and maintenance of financial policy and fee schedule

## **Our Charges**

## **References**

## **PCR (Patient Care Report)/Trip Report collection:**

A PCR begins with dispatch and the deployment of an ambulance and consists of the entire episode of patient care beginning with initial contact upon arrival to transfer of care at the destination. The PCR is the core piece of data upon which an ambulance claim is built, and complete and proper documentation within the PCR is required. The responding crew members are responsible for completion of the PCR and gathering any necessary supporting documentation.

The PCR is then reviewed by a member of your staff and upon approval, assigned to us for billing within your PCR program. We will receive the PCRs directly via SFTP (Secure File Transfer Protocol) to our server in real time as they are assigned for billing by your crew/supervisors. Attachments (including face sheets, signature forms, etc.) should be attached to each PCR, and will also be exported with the trip report.

We also provide a secure web folder for HIPAA-compliant document sharing and communication. Any additional documents you wish to share with us may be uploaded to the shared folder. We will provide information back to you via the same web folder.

### **PCR Vendors:**

Your relationship with your PCR vendor is completely independent from your agreement with Pintler Billing Services. Your agency will be responsible for adding our office as a user with permissions to view and print the trip reports. We will work with the PCR vendor to accomplish data transfer for your trip reports if we have not already established a relationship with that company. (ESO, ImageTrend, Emergency Reporting are companies with whom we have already established a file transfer protocol.) The bottom line is that we want to make working with us as efficient and pleasant as possible, and we are always working to improve our service to guarantee your satisfaction.

## **Billing:**

### **Pre-Billing:**

The billing process begins with a thorough review of patient information and verification of eligibility and coverage, benefits, address, and other demographic data. We use several tools for this task, including built in software in our revenue management system, contacting the receiving hospital, online insurance portals, and our clearinghouse. Ensuring we are sending claims to the correct payer PRIOR to billing speeds up time to payment, reduces take-back and payer-initiated refund requests, and enhances your revenue stream.

Each trip report is then reviewed using the established procedures of our organization that have been developed from education and consultation with experts in the field. Every member of our billing staff has a NAAC Certification for ambulance billing and has been trained for proper documentation review (including date of service, timeline entries, mileage, interventions, required signatures, and complete narratives). Any discrepancies in these items required for billing will be noted by our billers. Our staff will then communicate with your staff using a pre-determined method that best suits your schedule and staffing. We will support you through the entire process of notification of what is missing, referral to educational resources as appropriate, and follow-up to ensure completion.

PCRs which are complete (ie. trips that need no corrections from your crew, and all required documents are included with your submission) will be billed within a minimum of 5 business days after receipt, and we frequently accomplish billing within a much faster time frame.

### **Billing:**

After the pre-billing steps, we create a claim based on the description of the patient and treatment rendered, using the fee schedule established by your service and with due consideration of the applicable federal and state laws. The particular rules enforced by each insurance company are also noted, and we will request authorizations, submit additional records, and take other required steps as dictated by each payer. We submit accurate claims to insurance companies per

their required method; digitally via an electronic clearinghouse whenever possible, though in rare instances, via US mail or fax.

Patients or facilities will be billed directly for co-payments, deductibles, or uninsured or contract amounts. We send a colored statement in a windowed envelope with a perforated section for the patient to tear off and return with their payment in the enclosed return envelope. Patient statements are color coded depending on how many statements have been sent without receiving payment. The first patient statement, and any subsequent statements on accounts that are current (meaning payment(s) have been received), is blue, the second is green, and the third is red. A message is included depending on the financial policies of your service (for example, "A 10% discount is available if payment in full is made within 30 days of receipt."). A credit card payment link and fields are included on the statement as well.

Our toll-free office number is published on the statements as a resource for questions. Our office phones are answered Monday-Friday, 8:00-4:00 MST, except for holidays. Any voicemail messages received are replied to as soon as possible, and never more than one business day from the time it was left. Our staff is compassionate, professional, and courteous, projecting a positive impression of your ambulance service in every interaction. We work with patients to answer questions, set up payment plans, and accept payments.

We also provide a secure web portal link for patients to send us inquiries, insurance information, release of information documents, and other items covered by HIPAA regulations which require safe and secure transmission.

## **Payments:**

Payment will be collected via EFT (electronic funds transfer, or direct deposit through ACH, into your account) whenever possible. We will complete enrollments for this process on your behalf, and also provide your designated staff with accurate and timely reference information to match deposit amounts to insurance payers and claims. EFT payments will be posted to the patient accounts, and prompt reports will be provided for reconciliation of incoming funds.

Payments posted on an account with a remaining balance will generate another claim (if the next payer is an insurance company), or a statement (if the patient is the next payer). We will work each claim to the last payer and to closure with a zero balance.

Physical payments will be directed to our US Post Office address as the payment address. Upon receipt of funds, we will post the payment to the patient's account, scan the check, then promptly deposit payments directly into your specified account, on a schedule of no less than twice a week. A digital copy of the checks and deposit, as well as the deposit receipt will be sent simultaneously with the deposit to the designated member(s) of your staff for reconciliation and reference purposes. If the specified bank account does not have a local branch, the deposit will be mailed via Certified US Mail to allow for tracking and delivery confirmation.

Payment reports will be provided as deposits are completed to your designated staff (Treasurer's Office, Finance Department, etc.) for easy reconciliation and tracking. These reports will show EFT payments, credit card payments, and deposits physically made with the bank. Inquiries by any member of your staff will be promptly answered and addressed.

We will provide recommendations for a credit card vendor and will assist you in setting up an account for acceptance and processing of patient credit cards, HRA or HSA debit cards, recurring payments, and ACH direct payments from patients. A hyperlink will be included on patient statements to allow self-service payment and recurring payment set-up. We will also accept credit card payments over the phone when working with patients and will input them directly into your chosen vendor portal.

## **Accounts Receivables/Claims Follow-Up:**

### **Insurance Accounts Receivables:**

Outstanding insurance claims will be monitored and claims over 30 days will be worked by our A/R team. These claims will be sorted by payer and researched according to the payers rules or payment schedule. This research may include calling the payer, inquiring via a website or web tool, or using the clearinghouse to track claim status and progress.

We will pursue the payer for each claim until it has been correctly processed. We will complete all tasks necessary to accomplish this, including but not limited to: obtaining and providing supporting medical records as requested, completing provider enrollments and certifications as necessary, contacting patients to correct or clarify coordination of benefit issues.

### **Patient Accounts Receivables:**

Pintler Billing Services will provide information regarding collections activities that will be necessary with patient billing and will provide resources to assist your agency with selection of a vendor for collections services.

If patients are unresponsive to our billing after 30 days from their first statement their accounts will be addressed per follow-up procedures defined in your agency's financial policies and our internal procedures. Pintler Billing Services' internal process for handling these accounts is as follows:

- We will attempt a phone call or text to the patient requesting insurance information, provide a payment link, or to suggest setting up a payment plan.
- Returned mail will be researched to discover an updated address or to correct any misinformation we originally received. Often the receiving hospital will have updated their records at this time, and we will work with them and other available resources, including software partners, to find contact information.
- If a patient disputes their bill, or requests a payment plan, we will facilitate a Financial Assistance Form or similar item as directed according to your agency's financial policies. Upon receipt of completed forms we will act



within the framework of your financial policies. This action may involve setting up a payment plan, adjusting a portion of the balance due, or taking another action as dictated by the financial policy.

- If a patient does not respond within the designated time frame outlined in your financial policy or refuses to make payment or to return a financial assistance form, the delinquent accounts will be submitted to the chosen collections agency per your financial policies. Reports detailing this activity will be provided to the designated staff as confirmation of account progress through this stage, according to the framework of your financial policy.

## **Reports:**

We provide standard reports for accounts receivables, billing, and payments received at month end. There are dozens of other customizable reports available on any schedule you prefer, and we accommodate specific requests from our clients by providing individualized reports detailing unique data items they wish to track. We deliver these reports via our secure web folder for easy sharing within your organization.

The standard monthly reports include: closing balance summary, trip report detail, patient aging (both summary and detail), insurance aging (both summary and detail), payment analysis by insurance company, deposit detail report, patient statement report, and many more available upon request. Any other delivery schedule is also available upon request.

Maintaining good communication with your financial staff is a top priority, and to that end we provide accessible reports that are easy to read, and provide clear, pertinent information about the services you provide. These are available in an array of formats including PDF, Excel, or CSV. When you know exactly how your service is performing financially, it makes managing the other aspects of your service easier.

## **Agency/Crew Training & Support:**

### **Training:**

Training is an important part of our service to you and is provided in several different forms. Guidance on best practices, information on current trends, and tips for optimizing billing success are delivered on an ongoing basis through our newsletters and regular email communications with your staff.

Leadership/supervisory level staff training is more accurately consulting, and is available for all revenue management related topics, including fee schedule development, financial policy development, compliance plan currency, review and analysis of reports, and any others as the need may arise. We will provide templates for reference, and resources and documentation for financial decision making support.

A billing and documentation training is required for your crew and staff within the first 30 days of the contract period. This training reviews the items on a PCR that are required by law as well as best practices and tips for using Emergency Reporting to its fullest capabilities with regards to trip reports. Your crew will view examples, discuss real-world situations, and will receive a job aid for future reference. There will be ample opportunity for questions and discussion.

Your crew will also receive feedback and focused training as necessary through discoveries made in our daily review of trip reports. These additional trainings can include your entire staff or a few key personnel at your discretion and will often be scheduled as patterns of errors or questions are identified. Support and guidance will be offered on specific items that are missing or incomplete and these items will be addressed as they present themselves.

A separate initial training will be provided to your managing staff and supervisors and will introduce them to the tools and resources that are available within our company to answer questions, monitor and reconcile reports with dispatch logs, and ensure quality is maintained. This training for your leadership staff also reviews billing best practices.

## Compliance:

There are many compliance standards and regulations required of health care service providers, and you are likely aware of this and working to comply with the various laws. Many of these requirements are intertwined and a misstep in one small area can be magnified in scope because of the way these regulations are applied. Billing is one of these areas, and as billing professionals dedicated to this vital area of health care delivery, we can help you learn about and comply with the many regulations.

We review all PCRs and supporting documents for compliance, and work with you to confirm that we are working within guidelines when submitting claims. Every one of our billers has attained the CAC (Certified Ambulance Coder) certification and we maintain certification via annual trainings and conferences. We also have a Certified Ambulance Compliance Officer (CACO) on staff. Jodi Paine has successfully completed the intensive training and test offered by NAAC (National Academy of Ambulance Compliance), and she is a valuable resource available to us and to our clients. In addition, two of our billers hold the CADS certification (Certified Ambulance Documentation Specialist) from NAAC as well.

Besides NAAC, we also belong to HBMA (a national organization of revenue cycle managers with an office in Washington, DC), as well as professional networking groups, and we value these relationships which allow us to maintain currency with laws and best practices. We gain valuable information which we can then pass on to you and use to ensure the most current and correct billing policies.

**Our goal is to maximize your reimbursement within the framework of compliance, and to assist you in successfully running your EMS department.** We stay in frequent contact with you to help educate your staff about requirements that apply to EMS providers, and to provide informal, ongoing documentation training. An annual documentation training for your crew is a standard part of our service and comes at no additional cost.

## **Our Charges:**

Typically there is no initial charge or financial outlay to use our services. If we begin billing for current charges and there is no back work, we will charge you only after you have received payment from our billing efforts, usually 15-30 days after your agency is completely set up and enrolled, and the first trip report is received in our office. If there are additional, older accounts you would like us to work, we will evaluate the volume and difficulty and create a side agreement for the older accounts.

If your agency has not yet begun billing for EMS transports and it is necessary to (re)establish a relationship with Medicare, Medicaid, and other payers, there may be a fixed fee for work related to enrollment, revalidation, etc. This fee will be dependent upon the level of assistance your service requires with these payers, and the amount will be negotiated prior to the beginning of any work related to those specific services.

Except for any side agreements as mentioned above, the items outlined below are the specific charges that you will incur with our service. There are no hidden or additional fees.

- We bill on a percentage basis; this is a guarantee to you because we won't get paid until you do! Our rate is 8%.
- We itemize fees for patient statements (\$1.50/statement); these will show up as a line item on your monthly statement.
- You will receive a credit for our percentage of any payments that you receive that subsequently need to be refunded. In other words, if you have to refund a payer, we will refund you as well.

## **References:**

We are proud of our work and happy to have you talk to our current clients. Please ask them about their experience with us.

Chief Craig Williams – Evergreen Fire Rescue, Kalispell  
406-752-4636 [cwilliams@evergreenfirerescue.net](mailto:cwilliams@evergreenfirerescue.net)

Chief Jeremy Patton, Cindy Norred (Billing) – Bigfork Fire District 406-837-4590  
[cnorred@bigforkfire.com](mailto:cnorred@bigforkfire.com)

Interim Chief Greg Tryon, Central Valley Fire District, Belgrade  
406-388-4480 [gtryon@centralvalleyfire.com](mailto:gtryon@centralvalleyfire.com)

Chief Rich Cowger, Assistant Chief Nick Jacobs, Columbus Rural Fire District 406-322-4302 [rcowger@colubusfirerescue.com](mailto:rcowger@colubusfirerescue.com)

Chief Ben DeVall – Big Mountain Fire District, Whitefish  
406-862-3748 [bendevall@hotmail.com](mailto:bendevall@hotmail.com)

Chief Joe Calnan – Frenchtown Rural Fire District  
406-626-5791 [jcalnan@frenchtownfire.org](mailto:jcalnan@frenchtownfire.org)

Chief Amy Beick – Smith Valley Fire District  
406-752-3548 [ab@smithvalleyfd.org](mailto:ab@smithvalleyfd.org)

Curtis Harper, EMS Director – Logan Health Cut Bank EMS (formerly Northern Rockies EMS) 406-855-6193 [charper@nrmcinc.org](mailto:charper@nrmcinc.org)

Lance Westgard, Operations Manager – Three Rivers EMS  
406-892-4244 [threeriversems@gmail.com](mailto:threeriversems@gmail.com)

Jordan Owen, Director – Lakeside QRU  
406-285-8400 [executivedirector@lakesidegru.org](mailto:executivedirector@lakesidegru.org)

(more references available upon request)

# EMS BILLING POLICIES

**PURPOSE:** To establish guidelines for billing patients for EMS services.

**GENERAL:** The EMS services provided by Great Falls Fire Rescue will be billed to insurance companies and patients by Pintler Billing Services and according to the executed Billing Agreement. In addition to the general outline described in the Billing Agreement, these policies adopted by Great Falls Fire Rescue on \_(date)\_, will provide specific direction to Pintler Billing Services for purposes of obtaining payment from patients and/or insurance companies on behalf of Great Falls Fire Rescue.

## BILLING PROCEDURES:

- **PHASE 1:** Standard billing practice – Pintler Billing Services will send a claim to the appropriate insurer, or if none exists, a statement will go to the patient/guarantor. Once the insurer has paid, any remaining balance will be billed to the patient.

If a patient is deceased (after transport & care but prior to paying their bill), Pintler Billing Services will attempt to collect payment for two billing cycles by sending out patient statements to the last known address. If no payment is received after these attempts (including attempting to verify contact and insurance information with the hospital), write off these accounts in full.

If an insurance company responds to the claim with a negotiation request, Pintler Billing Services will refuse the request and send the claim back to the payer for processing.

If a patient responds to a bill with a request for a write-off or reduction, a financial assistance/hardship form will be sent to them for completion. If the patient information as reported on the financial assistance/hardship form reveals that the patient is low income as indicated by the current Federal poverty guidelines, proceed as follows:

- a) Income falls at or below 100% of the federal poverty line, write off the balance.
- b) Income falls between 100% and 150% of the federal poverty line, set up monthly payments of \$50/month, and write-off the last 10% of their original balance if they consistently make on time payments each month during the agreed upon period.
- c) Income is above 150% of the federal poverty line, set up monthly payments of \$100/month, or a minimum monthly amount due equal to 10 % of the total balance due.

In the event that the financial assistance/hardship form is not returned for consideration within 30 days, and the balance due is more than 60 days past due, the account will move to Phase 3.

All completed financial assistance/hardship forms will be considered upon receipt and determined according to the policies set within this document. If a determination is unable to be made using this guidance, the request will be forwarded to the Chief/Director for a final decision.

- **PHASE 2:** Past due billing (accounts 45 days past due) will be pursued with a call from Pintler Billing Services to the patient or their guarantor and a discussion about their account.

If we are unable to reach the patient/guarantor (due to a bad phone number or bad address), Pintler Billing Services will contact the receiving hospital to request updated information and use all available resources to locate the patient (including next of kin listed on demographics document, alternate phone numbers, etc.). If these efforts do not reveal additional or new information the account will move to Phase 3.

If the patient/guarantor states they are unable to pay their bill in full immediately, and requests a payment plan, the following applies:

-Pintler Billing Services will first offer to split the bill in half and accept 50% of the balance immediately with the remainder due the following month.

-If the patient/guarantor is unable to pay in two payments, they will be offered the following options based on the total amount due on their account:

Accounts owing more than \$500 will be set up at a minimum of 10% of the balance due per month. Pintler Billing staff will begin the conversation by suggesting a 40% payment, gradually reducing the amount to the minimum 10%.

Accounts with less than \$500 owing will be set up with a minimum of \$50 due per month.

-If the patient/guarantor states they are unable to pay at all, refer back to process for handling write-off or reduction request. A financial assistance/hardship form will be provided to the patient and the parameters described in Phase 1 will be applied upon receipt of the completed document.

An account may stay in Phase 2 indefinitely provided the patient is making regular payments toward the balance. These accounts will be monitored monthly to ensure that payments are being received. If monthly payments are not received on schedule, a call will be made to the patient and an attempt to restart the payments will be made. If there is a default on the second attempt at a payment plan, the account will move to Phase 3.



- **PHASE 3:** Accounts in this phase will be considered delinquent. Accounts with no payment received and no effort or communication from the patient after 90 days of billing and attempted contact, and/or no current address or phone number available will be assigned to Phase 3.

Accounts in Phase 3 will be sent to the contracted collections agency for pursuit and will be assigned to Bad Debt by Pintler Billing Services.

The first step by the collections agency will be a 30 day “pre-collect” period which allows the patient a window to make payment in full with no record on their credit. This window also allows full collection of payment without paying a fee to the collections agency. If the account is not paid within the 30 day pre-collect period, it will proceed to straight collections and will be subject to the agreement between the \_EMS Company\_ and the collections agency.

**EXCEPTIONS:**

1. *Any exceptions to the above policy or additional exceptions will be provided to Pintler Billing Services by the Great Falls Fire Rescue Fire Chief or Deputy Chief of EMS.*



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Construction Contract Award: Sanitary Sewer Trenchless Rehabilitation Phase 24 O. F. 1675.6

**From:** Engineering Division

**Initiated By:** Public Works Department

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

**Action Requested:** Consider Bids and Approve Contract

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (award/not award) a contract in the amount of \$888,850.00 to Planned and Engineered Construction, Inc., for the Sanitary Sewer Trenchless Rehabilitation Phase 24, and authorize the City Manager to execute the necessary documents.”

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

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**Staff Recommendation:**

Approve construction contract award.

**Summary:**

This sanitary sewer-lining project is a continuation of an ongoing maintenance and repair program to rehabilitate deteriorated sanitary sewer mains using trenchless technologies. This phase will restore 13,582 linear feet of varying diameter sewer and storm main. This length is the equivalent of 34 city blocks. The rehabilitated mains serve primarily residential areas.

**Background:**

Citizen Participation

The construction activity will be planned and phased to have little impact on the citizens of Great Falls. The contractor is required to keep all sewer mains functioning during construction by utilizing bypass pumping. Should a sewer service interruption be necessary because of the work, customers affected will be notified in a timely manner and all interruption related needs of the homeowner will be met until service is re-established. Overall, traffic interruptions should be limited since the majority of mains are located along alleyways and residential city streets.

Workload Impacts

The Utilities and Engineering Divisions of the City's Public Works Department completed sewer main inspections that were used to identify and prioritize the mains which needed rehabilitation. The City Engineering staff designed the lining project and will also perform construction inspection and contract administration.

Purpose

This project is a continuation of previous projects that rehabilitated deteriorated sewer mains in a less disruptive manner than traditional open trenching and pipe replacement. Although the sewer mains are functioning, the aged/deteriorated mains had developed pits, cracks, and holes. These defects can lead to raw sewage leaking into ground water and can also make routine maintenance difficult.

By using Cured-in-Place-Pipe (CIPP), the project will extend service life and alleviate the issues stated above. Trenchless technology provides the City with a low cost solution that greatly reduces disruption and eliminates utility conflicts caused by open trench replacements.

Project Work Scope

This project will line 13,582 linear feet of 8, 9, 10, 12, 15, 18, 24-inch diameter and 13 inch x 22 inch oval sewer mains at thirty-six (36) locations spread around the City.

Evaluation and Selection Process:

Two responsive bids were received for this project, one from Insituform and the other from Planned and Engineered Construction and opened on March 2, 2022. The two bids were \$937,683.00, and \$888,850.00 with Planned and Engineered Construction providing the low bid and executing all the necessary bid documents.

Conclusion:

The project has been selected and prioritized, and executed in accordance with the Public Works Capital Improvement Program and budgeted in the sewer and storm drain utility enterprise funds. The project will result in less sewer disruptions and maintenance issues and ensure the effective operation of the sewer and storm water collection system over the next 50 years.

**Fiscal Impact:**

The attached bid tabulation summarizes bids that were received.

**Alternatives:**

The City Commission could vote to deny award of the construction contract and re-bid or cancel the project.

**Attachments/Exhibits:**

Bid tabulation

Vicinity Map

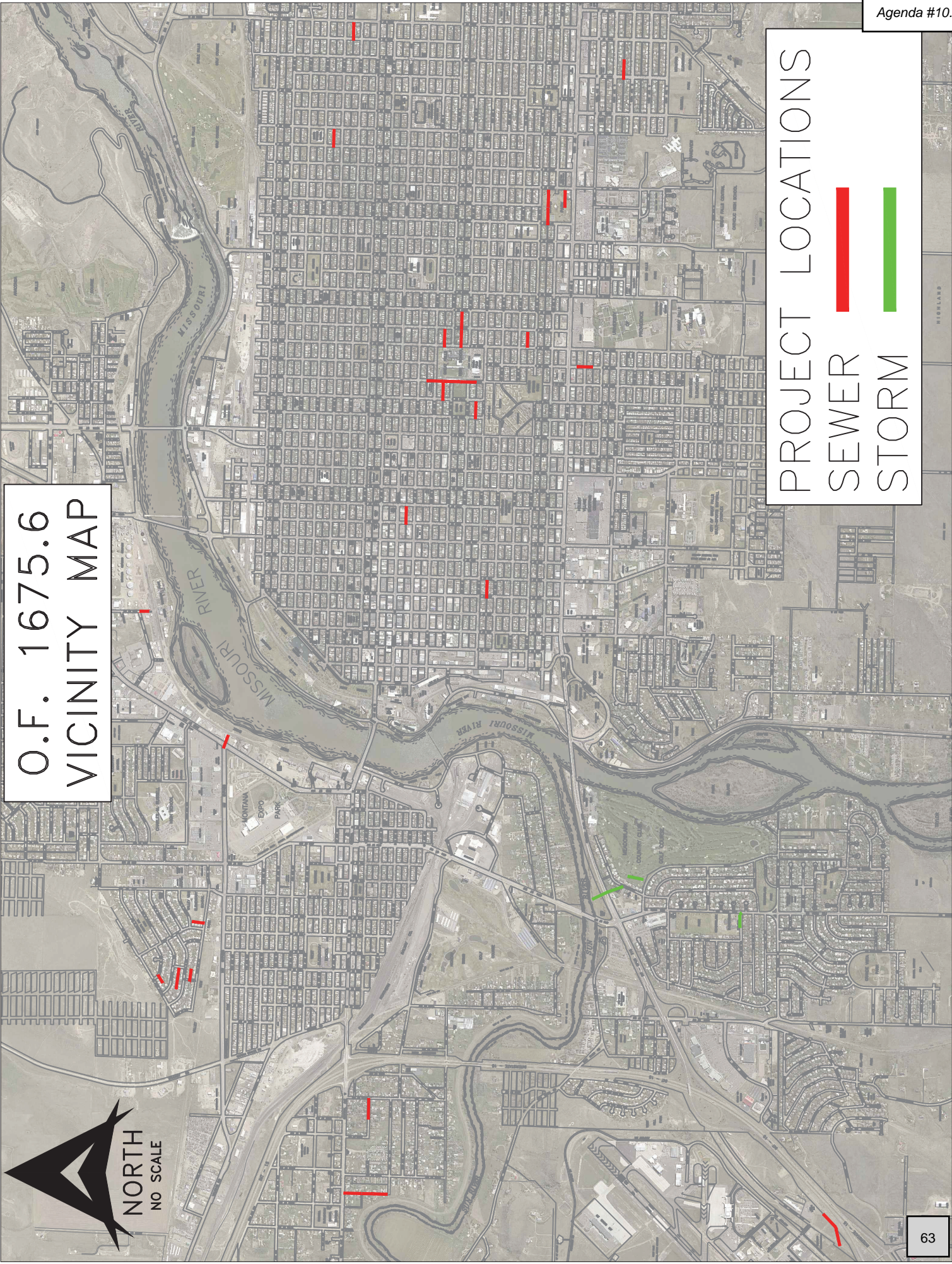
CITY OF GREAT FALLS ENGINEERING  
P.O. BOX 5021  
GREAT FALLS, MT 59403

BID TABULATION SUMMARY  
  
OFFICE FILE 1675.6  
SN SW TRENCHLESS REHAB, PHASE 24

BIDS TAKEN AT CIVIC CENTER  
DATE: 2-MAR-22  
TABULATED BY: AMANDA BROWNLEE

	NAME & ADDRESS OF BIDDER	ACKNOWLEDGE ADD. #1	ACKNOWLEDGE ADD. #2	10% BID SECURITY	CERTIFICATE OF NON-SEGREGATED FACILITIES	CERTIFICATE OF COMPLIANCE WITH INSURANCE REQ.	TOTAL BID
1	PEC, INC. P.O. BOX 5535 HELENA, MT 59604-5535	Y		Y	Y	Y	\$888,850.00
2	INSITUFORM	Y		Y	Y	Y	\$937,683.00
3	NATIONAL POWER RODDING	NONRESPONSIVE - NOT OPENED OR READ ALOUD					\$0.00
4							
5							
6							
7							
8							
9							
10							





O.F. 1675.6  
VICINITY MAP

PROJECT LOCATIONS

SEWER

STORM

NORTH  
NO SCALE





Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10451 – Approving the Donation of Used Radio Equipment to Cascade County for Use by the Rural Volunteer Fire Departments

**From:** Great Falls Police Department and Great Falls Fire Rescue

**Initiated By:** Captain Doug Otto – Great Falls Police Department

**Presented By:** Chief Jeff Newton

**Action Requested:** Set a Public Hearing on Resolution 10451 for April 5, 2022

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing on Resolution 10451 for April 5, 2022.”

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 set a public hearing on Resolution 10451 for April 5, 2022. If adopted, Resolution 10451 would approve the donation and transfer of used surplus mobile and portable radios and associated radio equipment from the Great Falls Police Department and Great Falls Fire Department to Cascade County Rural Fire Departments.

**Background:** In March of 2020, the Great Falls City Commission authorized the upgrade to a Motorola 800 MHz public safety radio system and associated equipment. As a result of the upgraded public safety radio system, the Great Falls Police Department and Great Falls Fire Rescue have VHF trunked radio system equipment, in car mobile and portable personal radios and associated equipment, that are no longer in use or needed, and are no longer supported by the manufacturer.

Cascade County Rural Volunteer Fire Departments (VFD) do not have the means to upgrade radio systems, which poses a challenge for VFD to communicate properly. Additionally, VFD currently does not have enough radio equipment to outfit volunteer fire vehicles and personnel. The transfer of this surplus equipment would better equip volunteer firefighters to communicate more effectively during emergency situations.

**Fiscal Impact:** There is no fiscal impact as the surplus items are currently in storage.

**Alternatives:** Not set a public hearing. The surplus items would remain in storage at the Great Falls Police Department and Great Falls Fire Rescue.

**Concurrences:** Great Falls Fire Rescue concurs with the transfer of the used surplus radio property.

**RESOLUTION NO. 10451****A RESOLUTION APPROVING THE DONATION OF USED RADIO EQUIPMENT TO CASCADE COUNTY FOR USE BY THE RURAL VOLUNTEER FIRE DEPARTMENTS**

**WHEREAS**, pursuant to the Official Code of the City of Great Falls (OCCGF) § 3.4.080, the City may sell, trade, grant, donate or lease for any period of time any real or personal property to a governmental entity by negotiation without an appraisal or advertising for bids. If, by grant or donation, the real or personal property must be retained for a direct or perpetual benefit or use. Requirements, as specified in OCCGF § 3.4.010, 3.4.020 and 3.4.030 remain applicable; and

**WHEREAS**, passage of SB 352 by the 2019 Montana Legislature provided for a comprehensive plan to update and upgrade the statewide communication system, and provided for a financial investment by the State of Montana toward the radio infrastructure; and

**WHEREAS**, as part of the statewide effort to upgrade emergency service radio systems, the Great Falls City Commission adopted Resolution 10332 in March, 2020, that authorized the upgrade to a Motorola 800MHz public safety radio system and associated equipment and approved a lease-purchase agreement in connection therewith that put the City in a position to realize the full benefit of the opportunity provided by the passage of SB 352; and

**WHEREAS**, as a result of the upgraded public safety radio system, the Great Falls Police Department and Great Falls Fire Rescue have VHF trunked radio system equipment, in car mobile and portable personal radios and associated equipment, that are no longer in use or needed, and are no longer supported by the manufacturer; and

**WHEREAS**, the rural Volunteer Fire Departments (VFD) don't have the means to upgrade systems and poses a challenge for VFD to communicate properly; and

**WHEREAS**, the VHF radio system equipment is still effective, can be serviced and capable of using the new infrastructure to keep the rural departments online; and

**WHEREAS**, the City of Great Falls has entered into Interlocal agreements with Cascade County and Great Falls Fire Rescue has a mutual aid agreement to render fire, rescue and EMS services when requested. The radio system equipment would remain in the county and available for mutual aid assistance; and

**WHEREAS**, adoption of this resolution requires a four-fifths (4/5) vote of all the members of the City Commission pursuant to OCCGF § 3.4.010. OCCGF § 3.4.020 is not applicable as said personal property is not property held in trust for park purposes. Pursuant to the requirements of OCCGF § 3.4.030, Cascade County shall pay the publication costs of the required notice of public hearing.

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



1. The donation of used equipment, specifically 48 APX 6000 Motorola portable radios, 15 APX 6500 Motorola mobile radios, 22 XTS 2500 Motorola portable radios, 93 XTS 5000 Motorola portable radios, 42 XTL 2500 Motorola mobile radios, 92 Impress single bank battery chargers, 8 Impress six bank battery chargers, 88 Motorola radio microphones, 78 Motorola radio antennas, 136 radio belt clips, 225 spare batteries, and 83 leather radio carry cases to Cascade County for use by the rural Volunteer Fire Departments, is hereby approved;
2. In return, Cascade County shall pay publication costs of the required notice of public hearing;
3. Pursuant to mutual aid agreements entered into between the Cascade County Rural Volunteer Fire Departments and Great Falls Fire Rescue, the radio system equipment shall remain in the county and available for mutual aid assistance.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 5<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

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

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeffrey M. Hindoien, City Attorney



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** CDBG & HOME 2022-2023 Annual Action Plan Public Needs Hearing

**From:** Planning & Community Development Department

**Initiated By:** Tonya Shumaker, CDBG Administrator, Planning & Community Development

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

**Action Requested:** Set the Public Needs Hearing for April 5, 2022 for the CDBG & HOME 2022-2023 Annual Action Plan

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing for April 5, 2022, to receive public comment on the needs within the community related to the use of CDBG and HOME funds.”

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

**Staff Recommendation:** Staff recommends the City Commission set April 5, 2022, as the public hearing date for citizen comments regarding needs of the community that may be addressed with Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds.

**Summary:** Holding a Public Needs Hearing to receive community input on the needs within the community is a requirement outlined in the City’s Citizen Participation Plan submitted with the City’s Five Year Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD). The Public Needs Hearing is the first formal opportunity for the public as well as subrecipient agencies to impact the priorities the City will outline in the development of its Annual Action Plan submission to HUD.

**Background:** CDBG and HOME programs are federal programs administered by HUD to help fund local community development programs including affordable housing, public service agency assistance, economic development and public infrastructure projects. The primary goal of these programs is to assist low and moderate income (LMI) persons in Great Falls. State and local governments receive funding from HUD based on a formula derived from population and housing statistics. HUD requires public input, especially input from lower income citizens and the agencies representing them, on issues and needs of the community. The Commission will be asked to give consideration to citizen comments

received during this public hearing when determining funding priorities for the Community Development Block Grant Program (CDBG) and the HOME Grant Program.

**Fiscal Impact:** Conducting the public hearing is a pre-condition for the City to receive its annual allocation of CDBG and HOME grant funds from HUD. For the current program year, the City received \$810,605 in CDBG funds and \$283,494 of HOME funds. Although the expected allocation of funds for the next program year is not yet known, it is reasonable to assume that funding amounts will be consistent with current and past program years.

**Alternatives:** The City Commission could elect to not hold a public hearing and thereby decide to delay or not accept CDBG and HOME funding for PY 2022/2023.



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10437 – A Resolution for a Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 1700 1<sup>st</sup> Avenue North and legally described as the North 110’ of Lot 1, Block 328, Great Falls 3<sup>rd</sup> Addition, Section 7, T20N, R4E, PMM, Cascade County, Montana.

**From:** Brad Eatherly, Planner II, Planning and Community Development

**Initiated By:** Daniel Guest, Owner

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

**Action Requested:** City Commission adopt Resolution 10437

---

**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 10437 subject to the applicant fulfilling the listed Conditions of Approval.”
  2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
- 

**Staff Recommendation:**

The Zoning Commission recommended that the City Commission approve the applicant’s request for a conditional use permit for “Two-family residence” at the conclusion of a public hearing held on January 11, 2022. In addition, staff recommends approval 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. **Expiration:** The Conditional Use Permit shall expire one year 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. **Fire-rating:** The owner must provide a code compliant fire-rated floor/ceiling assembly to separate the two units.
6. **Parking:** The owner must provide four (4) off-street parking stalls in order to comply with the Land Development Code of the OCCGF. A short fence or evergreen landscaping will be required to buffer the parking stalls from the abutting property to the east. The existing short fence and landscaping abutting the property to the south shall remain.
7. **Improvements to Public Right-of-Way:** The owner must repair the driveway approach and sidewalk within the right-of-way along 17<sup>th</sup> Street North to City standards.
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.

### **Background:**

The applicant, Daniel Guest, has submitted an application to request a Conditional Use Permit to allow for the legalization of a “two family residence” land use upon the property addressed as 1700 1<sup>st</sup> Avenue North and legally described as the North 110’ of Lot 1, Block 328, Great Falls 3<sup>rd</sup> Addition, Sec. 9, T20N, R4E, PMM, Cascade County, MT. The subject property is zoned R-3 Single-family high density, wherein a “two family residence” land use is permitted upon receiving approval of a Conditional Use Permit and fulfillment of any required conditions.

The subject property is identified in the City’s records as containing a single-family residence with no indication of ever being a used as a two-family residence. The current owner acquired the property and is requesting to turn it into an “up/down” duplex. While the property in question is located within an R-3 Single family high density zoning district, there are several properties with the land use of “two-family residence” or “multi-family residence” that are located in close proximity. One block to the north is the Columbus Center, a multi-story high-rise within an M-1, Mixed-use zone. A portion of that property is also utilized as a “Multi-family residence” land use. Because of the mix of density found in the area, legalizing the second unit through the requested Conditional Use Permit would be congruent with the land uses in the area.

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, and additional information demonstrates that the criteria, which are attached as Basis of Decision, have been met.

*Impacts:*

Increasing the residential density of the lot from one to two units will not adversely impact the area. The house on the property has been neglected and in disrepair for a number of years. The owner has acquired a building permit to remodel the house on the property and has already begun some interior work. The proposal to add a second living unit can be achieved in part by adding a code compliant floor/ceiling assembly which would separate the two units. A more detailed analysis of impact can be found in the attached Basis of Decision.

*Improvements:*

Staff recommends that the owner be required to improve the approach to the driveway off 17<sup>th</sup> Street North. The approach and sidewalk within the boulevard are in extreme disrepair and should be improved to City standards. The applicant is proposing demolition of an existing garage which would allow the required 4 parking stalls (two stalls per living unit), with each stall being at least 9 feet in width, according to the Land Development Code within the Official Code of the City of Great Falls (OCCGF). Because these stalls are proposed to be facing the property to the east, staff recommends requiring a short fence or evergreen landscaping to buffer the stalls from the adjoining property. Staff also recommends that the owner keep existing vegetation and a 4-foot fence that buffers the subject property from a small lot abutting it to the south.

*Proximity to Other Uses:*

The Subject Property is a corner lot, bounded to the north, east, and south by single-family homes. There are several duplexes, three-plexes, and four-plexes nearby. One block to the north is the Columbus Center which also utilizes a multi-family land use on its lot.

**Neighborhood Council Input:**

On January 20, 2022, Neighborhood Council #8 voted to support the applicant's request. The city has received two e-mails against the proposed use. That correspondence has been added as an attachment to this agenda report.

**Fiscal Impact:**

Approval of the CUP would have no adverse financial impact upon the City of Great Falls. Approval would result in the legal use of the second unit on the parcel, which would increase the value of the property.

**Alternatives:**

The City Commission could deny the conditional Use Permit, providing an alternate Basis of Decision to support the action.

**Concurrences:**

Representatives from the City's Engineering, Police, Building and Fire/Rescue Departments have reviewed the proposal and have no objections to the issuance of the Conditional Use Permit.

**Attachments/Exhibits:**

Resolution 10437

Basis of Decision  
Site Layout  
Aerial Map  
Zoning Map  
Site Photos  
Applicant Narrative  
Neighbor Correspondence

## RESOLUTION 10437

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A “RESIDENCE, TWO-FAMILY” LAND USE UPON A PARCEL OF LAND ADDRESSED AS 1700 1<sup>ST</sup> AVENUE NORTH AND LEGALLY DESCRIBED AS LOT 1, BLOCK 328, GREAT FALLS 3<sup>RD</sup> ADDITION, SEC. 7, T20N, R4E, PMM, 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 “Residence, two-family” land use upon the property legally described as Lot 1, Block 328, Great Falls 3<sup>rd</sup> Addition, Sec. 7, T20N, R4E, PMM, Cascade County, Montana (subject property); and,

WHEREAS, the subject property is presently zoned R-3 Single-family high density, wherein a "Residence, two-family" land use is permitted upon receiving approval of a Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit for the establishment of a “Residence, two-family” 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 January 11, 2022, to consider said Conditional Use Permit application and, at the conclusion of said hearing, passed a motion recommending a Conditional Use Permit for a “Residence, two-family” land use be granted by the City Commission for the subject property, subject to the following conditions:



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 one year 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. **Fire-rating:** The owner must provide a building code compliant fire-rated floor/ceiling assembly to separate the two units.
6. **Parking:** The owner must provide four (4) off-street parking stalls in order to comply with the Land Development Code of the OCCGF. A short fence or evergreen landscaping will be required to buffer the parking stalls from the abutting property to the east. The existing short fence and landscaping abutting the property to the south shall remain.
7. **Improvements to Public Right-of-Way:** The owner must repair the driveway approach and sidewalk within the right-of-way along 17<sup>th</sup> Street North to City standards.
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 “Residence, two-family” land use at the property addressed as 1700 1<sup>st</sup> Avenue North and legally described as Lot 1, Block 328, Great Falls 3<sup>rd</sup> Addition, Sec. 7, T20N, R4E, 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 (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 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 March 15, 2022.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

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

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeff Hindoién, City Attorney

## **CONDITIONAL USE PERMIT - BASIS OF DECISION**

The applicant is requesting the approval of a Conditional Use Permit (CUP) for a Two-Family Residence located at 1700 1<sup>st</sup> Avenue North in the R-3 district.

**1. The zoning and conditional use is consistent with the City's Growth Policy and applicable neighborhood plans, if any.**

The proposed two-family residence provides housing diversity and increased density in the core of the City and also takes advantage of existing street and utility infrastructure. More specifically, it is consistent with the following policies in the City's Growth Policy:

Phy4.1 – Encourage a balanced mix of land uses through-out the City.

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

Phy4.3 – Optimize the efficiency and use of the City's Public facilities and utilities.

**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 will have no detrimental impact upon the health, safety, morals, comfort or general welfare. The subject property has been inspected by Planning, Engineering, and Building staff. Because the building has been under-utilized and vacant for many years, the proposed use and remodel will benefit the surrounding area. The proposed Conditional Use will allow the driveway apron and sidewalk to be fixed to improve safety.

**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 residential uses in the neighborhood are generally mixed in density. While the majority of uses in the area are single-family, there are a number of area properties in the vicinity that have a land use of two family residential or multi-family residential. The existing appearance of the residential structure looks very similar to existing nearby single-family structures. Parking is proposed to be contained within the driveway. Because of these factors, the 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 project will not impede the normal and ordinary development and improvement of surrounding properties. All of the residentially zoned lots located north, east and west of the property are already developed. Adjacent property owners have been notified about the project and City staff has received no questions regarding project specifics. As of the date of this agenda report, there have been no comments.

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

Adequate services and infrastructure are available to serve the two family dwelling. Full sidewalks, water, sewer and paved roads already exist adjacent to the subject parcel. The curb-cut is located off of 17<sup>th</sup> Street North and any utilities needed for the duplex will need to be permitted through the City.

**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 project will generate little daily traffic, and will have no discernible impact upon the area road network. Driveway access is off the lower volume street (17<sup>th</sup> Street North), thereby avoiding a point of conflict upon the higher-traffic avenue (1<sup>st</sup> Avenue North).

**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.**

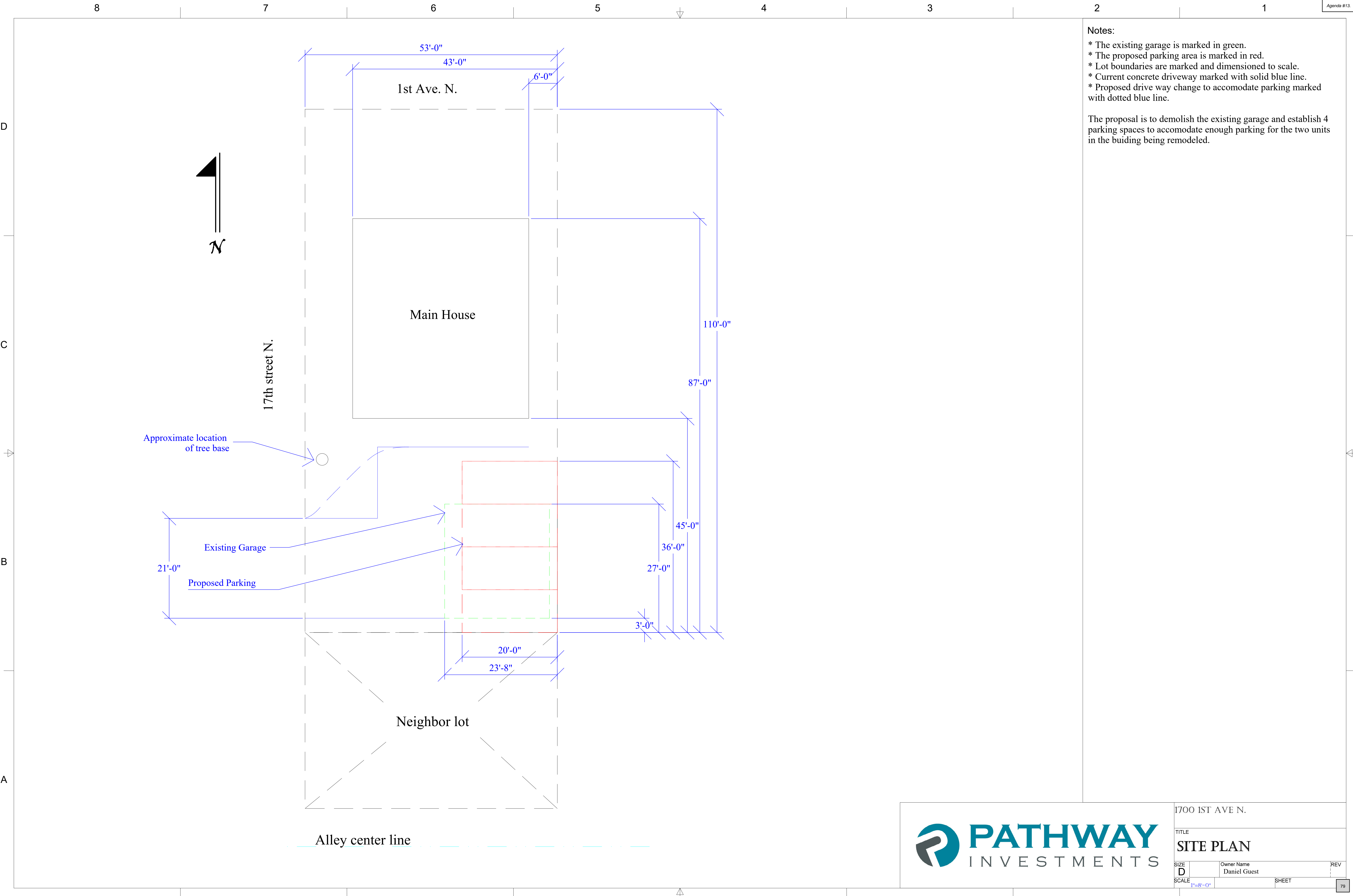
The lot is of sufficient size for the proposed two-family use to comply with all applicable regulations in the City's Land Development Code and, more specifically, the R-3 Zoning District. Conditions of Approval include improving the apron to the driveway and the sidewalk within the public right of way, creating a buffer between the parking spaces and the property to the east, and keeping an existing buffer between the subject property and the property to the south. The City's Building Department will require fire-rated construction between the lower and upper dwelling units.

D

C

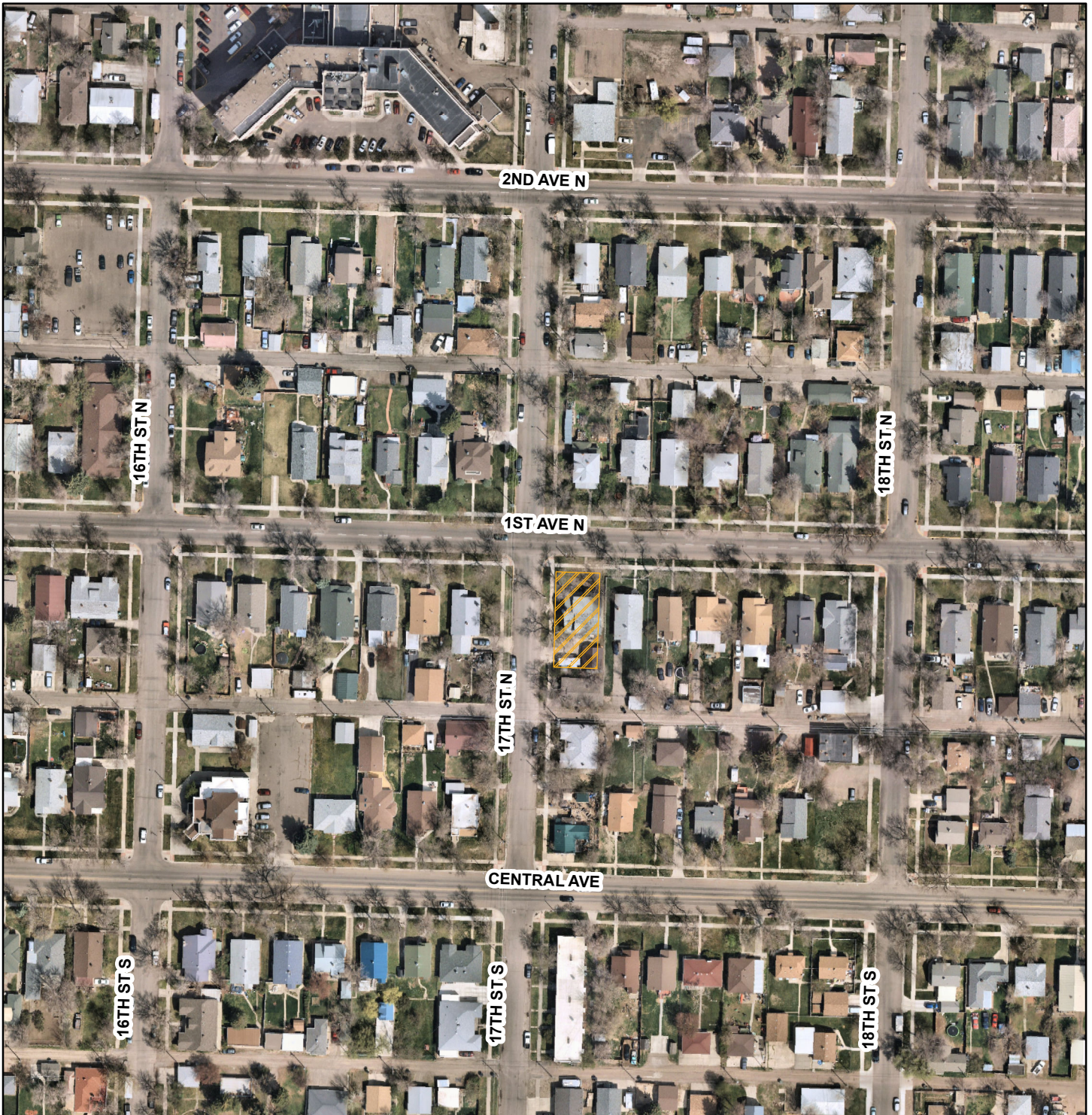
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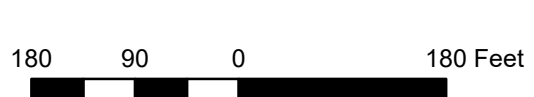


# EXHIBIT A



 Subject Property

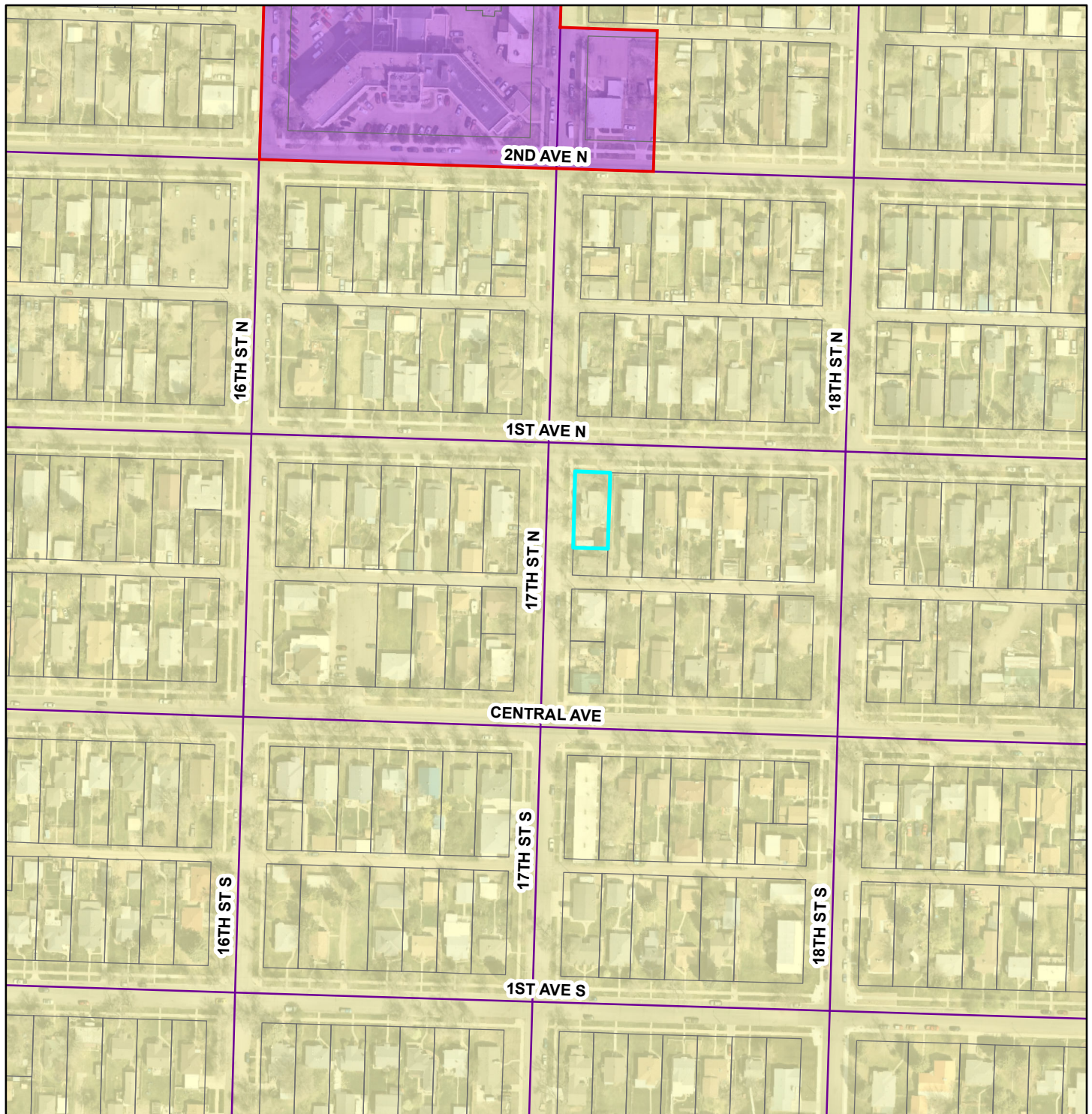
 City Limits





# ZONING MAP

Agenda #13.



## Legend

- R-3 Single-family High Density
- M-1 Mixed-use District

230 115 0 230 Feet

N



## Site Photos



Looking east from 17<sup>th</sup> Street North





**Looking NE from 17<sup>th</sup> St. North**



**View of vegetation and fence between properties**



Daniel Guest

[daniel7guest@gmail.com](mailto:daniel7guest@gmail.com)

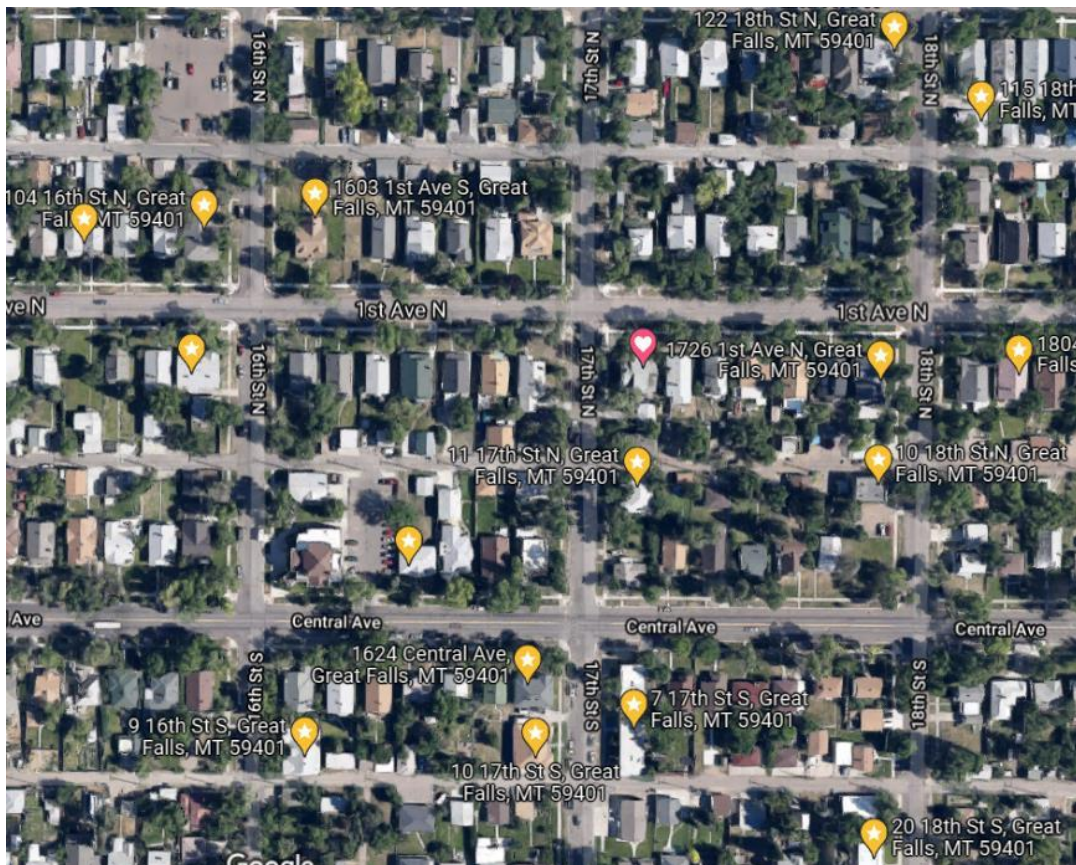
406-880-2769

Inconsideration of the property at 1700 1<sup>st</sup> Ave. N.,

I would like to use the property at 1700 1<sup>st</sup> ave N as a duplex rental property. I believe that this use would be in the interests of the people of Great Falls since it would provide affordable housing for the community. This house appears to have already been used for this purpose in the past since it was constructed in such a way as to make the basement apartment divisible from the rest of the house with its own access door. Additionally egress windows have been added to allow for two bedrooms in the basement. Also, it is my understanding that the previous layout of the house included a complete kitchen and all the facilities needed for a separate unit. Currently the only drawback is that dual occupancy is not allowed at this property.

I have already begun a remodel of the structure to return it to a livable condition which will include a complete overhaul of the plumbing, electrical, and heating systems throughout the house. Additionally, I am in the process of completing work to reinforce the old foundation. All this work has been permitted through the city and parts of it have already been inspected.

I believe that allowing this property to be used in this way would not be outside the bounds of what the city has deemed permissible. I have noted 16 different properties within a two-block radius of my house that are being used as multi-unit dwellings, some with more then two units. In the map below I have marked these units with a star and my house is marked with the heart.



## Brad Eatherly

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**From:** Jamie Nygard  
**Sent:** Monday, January 10, 2022 12:34 PM  
**To:** Craig Raymond; Thomas Micuda; Brad Eatherly  
**Subject:** FW: Comments regarding Agenda #5 for the Jan 11th Public Hearing

FYI. I will forward it to the Board tomorrow morning, after I see what else we get before the meeting.

Thank you,  
 Jamie

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**From:** RONKE, BRUCE R GS-11 USAF AFGSC 341 OSS/OSB <bruce.ronke@us.af.mil>  
**Sent:** Monday, January 10, 2022 12:30 PM  
**To:** Jamie Nygard <jnygard@greatfallsmt.net>  
**Subject:** Comments regarding Agenda #5 for the Jan 11th Public Hearing

Dear Board members,

In regards to the request for the property located at 1700 1<sup>st</sup> Ave N to be used as a two family residence, let it be known that both myself and my wife strongly disagree with the idea. We have been long term residents of this neighborhood (38 years) and know that rental properties end up detracting from the neighborhood and decrease home values of neighboring properties. Honestly, do you want to live next to a multifamily property? This particular neighborhood has been slowly declining over the years as it is. Mostly due to homeowner neglect. The house directly across 1st Ave N is, and has been vacant for many years, and has been in a sorry state of repair for a long time. We filed a complaint with the city about it and the owner came by and slapped a quick coat of paint on part of it, not that that did any good. That house should be renovated or raised. The house directly across 17<sup>th</sup> St is also in bad condition. Although not vacant, it looks like it is. If the City of Great Falls wants to do something good, get after those property owners! Adding another rental property to this neighborhood will not help a thing. Although we sincerely appreciate the fact that someone has finally saw fit to renovate one of the neighborhood eye sores, turning it into a two-family unit is something we highly object to. Property conditions can deteriorate rapidly depending on the property owner and since we have no idea if Mr. Guest has other properties in Great Falls and/or how well those properties might be cared for or looked after, we cannot agree to having the aforementioned property designated as a two-family residence. We all know about some of the Great Falls "Slum Lords" and how badly they manage their properties, and getting the city to do anything about that is almost impossible. Again, nothing against Mr. Guest as we do not know him, and we really do appreciate how he is renovating the house, we just don't want to see another rental property in an already declining neighborhood.

Sincerely,

Bruce & Kathy Ronke  
 1621 1<sup>st</sup> Ave N.  
 Great Falls, MT 59401

**From:** [Lisa C. Kunz](#)  
**To:** [Brad Eatherly](#); [Craig Raymond](#); [Krista Artis](#)  
**Subject:** FW: resolution 10437  
**Date:** Thursday, February 17, 2022 1:16:17 PM

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fyi

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**From:** Lisa C. Kunz  
**Sent:** Thursday, February 17, 2022 1:16 PM  
**To:** 'teriberri@bresnan.net' <teriberri@bresnan.net>  
**Subject:** RE: resolution 10437

Hi Theresa – thank you for your comments. Resolution 10437 was set for a public hearing on March 1<sup>st</sup>. However, due to advertising issues with the Tribune, the requested action on March 1<sup>st</sup> will be to **reset** the public hearing for **March 15, 2022**.

Your comments will be included with this public hearing agenda item for commission consideration.

Best regards,

*Lisa Kunz*

City Clerk/Records Manager  
 Civic Center Room 204  
 406.455.8451

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**From:** [teriberri@bresnan.net](mailto:teriberri@bresnan.net) <[teriberri@bresnan.net](mailto:teriberri@bresnan.net)>  
**Sent:** Thursday, February 17, 2022 1:08 PM  
**To:** commission <[commission@greatfallsmt.net](mailto:commission@greatfallsmt.net)>  
**Subject:** resolution 10437

I am the property owner directly to the south of this property. Since my property is on the back lot toward the alley of this property i have limited parking in front of my house. I have concern that making 1700 1st Ave No into a two family home will increase the amount of vehicles needing to park. I realize that there is a driveway but double the families means double the cars. This concern would be a strike against allowing for the rezoning.

Sincerely,  
 Theresa M Drake



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Public Hearing on Resolution 10445 – Budget Amendment Resolution

**From:** Gregory T. Doyon, City Manager

**Initiated By:** Statutory Budget Requirements

**Presented By:** Melissa Kinzler, Finance Director

**Action Requested:** Conduct the Public Hearing and adopt Resolution 10445.

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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 10445 – Budget Amendment Resolution.”
  2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
- 

**Staff Recommendation:** Staff recommends the City Commission conduct the public hearing and adopt Resolution 10445.

**Background:** The City of Great Falls adopted the Fiscal Year 2022 (FY 2022) Annual Budget on July 20, 2021. As part of the budget presentation and included in the Fiscal Year 2022 City Manager’s Budget Message, certain funds were identified as losing revenue due to COVID-19 restrictions. Since the adoption of the FY 2022 Annual Budget, these funds have not recovered sufficiently to make up for the revenue lost. During the Quarterly Budget Review work session on February 1, 2022, these funds were again reviewed, and the amounts needed to replenish these funds were identified. Resolution 10445 will replenish the identified funds by transferring money from the COVID Recovery Fund to the various funds that need replenishing. The source of the funds is from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) received in Fiscal Year 2021.

The calculation of lost revenue is through the period ending June 30, 2021 (FY 2021), and the calculation may need done again during the FY 2023 budget process if the funds have continued to experience lost revenue. The majority of these funds were struggling before COVID, and this budget

amendment does not address those short falls. This budget amendment also does not address any replenishment of General Fund unreserved fund balance or other General Fund needs.

The following funds and amounts to be replenished are:

Funds Recommended to be Replenished with CARES Act Funds	
Recreation	\$ 226,153
Multi-Sports	\$ 65,000
Swimming Pools	\$ 41,170
Ice Breaker	\$ 23,361
Civic Center Events	\$ 520,105
Parking	\$ 265,361
<b>Total CARES Act Use</b>	<b>\$ 1,141,151</b>

**Fiscal Impact:** The replenishing of the funds will use \$1,141,151 of the CARES Act money received leaving a balance of \$9,018,012.55. The total amount of CARES Act money received was \$10,159,163.55.

**Alternatives:** If Resolution 10445 is not adopted, then the identified funds will not be replenished and other actions will need to be taken during the Fiscal Year 2023 Budget Process, such as raising fees, cutting services, or increasing the General Fund subsidy.

**Concurrences:** The proposed replenishing of the funds was presented on February 1, 2022, to the City Commission at a regularly scheduled Commission work session.

**Attachments/Exhibits:**

Resolution 10445 – Budget Amendment Resolution  
Calculation of Lost Revenue

**RESOLUTION NO. 10445****BUDGET AMENDMENT RESOLUTION**

A RESOLUTION RELATING TO BUDGET AMENDMENTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.

- A. Montana Code Annotated, 7-6-4031, requires that unless otherwise provided in state law, a public hearing is required for an overall increase in appropriation authority.
- B. the notice of hearing on budget amendment was published in accordance with MCA, 7-1-4127, as required by MCA, 7-6-4021; and,
- C. the hearing on budget amendments was held in accordance with MCA, 7-1-4131.

**NOW, THEREFORE,**

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

Section 1. – Budget Amendments for Transfers

The budget amendments for the transfers in the Fiscal Year 2022 Annual Budget, totaling \$1,141,151, are adopted as follows:

- 1) \$226,153      Transfer from COVID Recovery Fund to Recreation Fund for lost revenue due to COVID.
- 2) \$65,000      Transfer from COVID Recovery Fund to Multi-Sports Fund for lost revenue due to COVID.
- 3) \$41,170      Transfer from COVID Recovery Fund to Swimming Pools Fund for lost revenue due to COVID.
- 4) \$23,361      Transfer from COVID Recovery Fund to Ice Breaker Fund for lost revenue due to COVID.
- 5) \$520,105      Transfer from COVID Recovery Fund to Civic Center Events Fund for lost revenue due to COVID.
- 6) \$265,361      Transfer from COVID Recovery Fund to Parking Fund for lost revenue due to COVID.

Section 2. – Funding Source

Funding Source:

- The funding for items 1 – 6 will be from Coronavirus Aid, Relief, and Economic Security Act (CARES Act) revenues received in Fiscal Year 2021.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,  
March 15, 2022.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

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Jeff Hindoien, City Attorney



## Use of CARES Act Funds to Replenish Funds with Lost Revenue

Revenue lost compared to most recent fiscal year prior to the emergency (FY 2019)

Total Revenue as of 6/30/xx

<b>Recreation Fund</b>		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	136,415.10	
6/30/2019	426,114.32				
6/30/2020	310,680.71	(115,433.61)	Fund Balance 6/30/2021	(266,980.07)	
6/30/2021	315,394.66	(110,719.66)	Replace lost revenue	226,153.27	
		<u>(226,153.27)</u>	Replenished Fund Balance**	<u>(40,826.80)</u>	** fund will still be in a deficit
<b>Multi-Sports Fund</b>		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	16,960.62	
6/30/2019	126,950.31				
6/30/2020	73,100.91	(53,849.40)	Fund Balance 6/30/2021	(47,250.12)	
6/30/2021	64,831.42	(62,118.89)	Replace lost revenue **	65,000.00	** will replenish to pre-pandemic level, instead of lost revenue amount
		<u>(115,968.29)</u>	Replenished Fund Balance	<u>17,749.88</u>	
<b>Swimming Pools</b>		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	134,547.76	
6/30/2019	707,634.90				
6/30/2020	663,368.44	(44,266.46)	Fund Balance 6/30/2021	133,635.34	
6/30/2021	710,731.39	3,096.49	Replace lost revenue	41,169.97	
		<u>(41,169.97)</u>	Replenished Fund Balance	<u>174,805.31</u>	
<b>Ice Breaker</b>		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	25,930.94	
6/30/2019	52,100.17				
6/30/2020	13,154.50	(38,945.67)	Fund Balance 6/30/2021	4,553.83	
6/30/2021	11,993.10	(40,107.07)	Replace lost revenue **	23,361.17	** FY2020 Revenues (under) Expenses
		<u>(79,052.74)</u>	Replenished Fund Balance	<u>27,915.00</u>	
<b>Civic Center Events</b>		Revenue	Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	178,858.90
6/30/2019	633,454.52				
6/30/2020	438,894.57	(194,559.95)	Fund Balance 6/30/2021	(355,926.32)	
6/30/2021	307,908.99	(325,545.53)	Replace lost revenue	520,105.48	
		<u>(520,105.48)</u>	Replenished Fund Balance	<u>164,179.16</u>	
<b>Parking Fund</b>		Lost Revenue Compared to FY 2019	Fund Balance 6/30/2019	425,164.03	
6/30/2019	587,073.33				
6/30/2020	606,257.44	19,184.11	Fund Balance 6/30/2021	(299,134.71)	
6/30/2021	302,528.55	(284,544.78)	Replace lost revenue	265,360.67	
		<u>(265,360.67)</u>	Replenished Fund Balance**	<u>(33,774.04)</u>	** fund will still be in a deficit
<b>Planning &amp; CD Fund</b>			This Fund was identified as "Requires Action" during FY2022 budget process, but they did not see lost revenue during the pandemic. Fund balance issues are unrelated to COVID.		
6/30/2019	934,532.99				
6/30/2020	1,079,170.51				
6/30/2021	1,062,963.50				
<b>Golf Courses Fund</b>			This Fund was identified as "Requires Action" during FY2022 budget process, but they did not see lost revenue during the pandemic. Golf Courses are slowly paying back their long-standing deficit.		



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10450, “A Resolution by the City Commission of the City of Great Falls, Montana, 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.” [Establishing a fine structure for violations of OCCGF 10.9.310 prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts, and superseding Resolution 10420.]

**From:** Legal Department

**Initiated By:** Legal Department

**Presented By:** Jeff Hindoen, City Attorney

**Action Requested:** Conduct a public hearing and adopt Resolution 10450, 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.

**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 10450, 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.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

**Staff Recommendation:** Staff recommends that the Commission conduct the public hearing and adopt Resolution 10450.

**Background:** After consideration and discussion at several public meetings between July and October of 2021, the City Commission took action on October 19, 2021 to formally adopt Ordinance 3230, which prohibits the parking of recreational vehicles, utility trailers, or boats in any residential zoning district for more than seventy-two (72) hours in a seven (7) day period. In the case of a violation, a written notice will

be provided that 1) requires the removal of the vehicle, trailer or vessel within twenty-four (24) hours and 2) advises that a parking citation will be issued if the vehicle, trailer or vessel is not removed. Although the Commission adopted the ordinance last October, it specifically provided for a delayed effective date of March 15, 2022.

As recognized in both Title 10 of the Official Code of the City of Great Falls and the language of the new ordinance itself [OCCGF 10.9.330], the fines for any parking citations that would be issued for a violation of the new ordinance are to be set by City Commission resolution. The proposed Resolution is being presented to the Commission for that purpose and to establish the following fine structure:

- First citation: \$50
- Second citation: \$100
- Third or subsequent citation: \$200

By way of comparison, the fine structure for Butte-Silverbow's analog ordinance (BSB Municipal Code 10.52.070) is \$150 for a first offense, \$250 for a second or subsequent offense. The fine range in Helena appears to be a minimum of \$25 to a maximum of \$100 (HCC 8-11-14).

**Fiscal Impact:** The adoption of the proposed Resolution and an accompanying fine structure will presumably lead to the collection of additional parking fine revenues, but the amount of that increase cannot be readily estimated.

**Alternatives:** The Commission could choose to not adopt the proposed Resolution and preserve the status quo, which would leave the fine amount for violations of OCCGF 10.9.330 governed by the residual Title 10 fine amount contained in Resolution 10420, i.e., \$20 per citation.

**Attachments/Exhibits:** Resolution 10450

## RESOLUTION NO. 10450

### A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, 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.

\*\*\*\*\*

**WHEREAS**, Title 10 of the OCCGF provides for various parking system related rates, fees and penalties to be established by Resolution; and

**WHEREAS**, the City Commission has most recently established rates, fees and penalties for parking-related matters through the passage of Resolution 10375 (November 2020) as amended by Resolution 10392 (May 4, 2021), with Resolution 10392 being superseded by Resolution 10420 (July 20, 2021); and

**WHEREAS**, the City Commission adopted Ordinance 3230 on October 19, 2021, with that ordinance both (1) prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or vessels in residential districts and (2) providing for the issuance of parking citations for violations and the fines for those violations to be set by Commission resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OCCGF BE ESTABLISHED AS FOLLOWS:**

**(1) Metered Parking.**

**A. Metered parking rate.** The rate for metered parking shall be \$1.00 per hour.

**B. Metered parking rate exception.** Mobility impaired individuals displaying an approved Disability Placard/License Plate parked in a signed, designated ADA parking space in the Downtown District, are exempt from the metered parking rate.

**C. Courtesy ticket.** The first violation by a particular vehicle, as identified by license plate number, for failure to pay for parking as required by OCCGF Title 10, Chapter 9, or for an expired meter or overtime parking as provided by OCCGF Title 10, Chapter 9, shall result in the issuance of a courtesy ticket. Said courtesy ticket thanks the driver for visiting downtown Great Falls and reminds him or her of the parking regulations. For the duration of ownership of each vehicle, only one courtesy ticket shall be issued. Courtesy tickets will not be

issued for any of the other violations listed in OCCGF Title 10. A courtesy ticket will not be issued to the occupant of a vehicle that is associated with unpaid fees and/or penalties.

**D. Accelerated penalties per year for failure to pay, expired meter, and overtime violations.** The penalty for the second violation within a calendar year for failure to pay for metered parking as set forth in OCCGF Title 10, Chapter 21, or violation of expired meter or overtime parking as set forth in OCCGF Title 10, Chapter 21, shall be \$5. The penalty for the third violation within a calendar year shall be \$10; and, all subsequent violations by a particular vehicle within a calendar year shall be \$20 for each violation.

**E. Other parking penalties.** Penalties for all other violations listed in Title 10 of the OCCGF shall be \$20, except the fine for violations in disabled parking zones shall be \$100.

**F. Miscellaneous parking fees.**

- i. A \$.35 per transaction Mobile Payment for Parking (MPP) fee will be added to each parking transaction using the Mobile Payment App.
- ii. A \$3.00 per ticket paid, Citation Management Platform (CMP) Service and License fee will be added to each citation paid.
- iii. An additional 25% (CMP) service fee will be added to each citation that has not been paid within 30 days after the date of the citation for collection efforts.
- iv. A \$10 administrative fee shall be added to all penalties that are not paid within thirty (30) days after the date of the citation.
- v. A \$1.50 per notification letter fee shall be added to all citations that require notification letters to be sent to the registered owner(s) of vehicles which receive citations that are not paid within the (30) days after the date of the citation
- vi. Pursuant to OCCGF Title 10, Chapter 10, the immobilization or “boot” fee shall be \$150.
- vii. Pursuant to OCCGF Title 10, Chapter 9, the daily charge for a meter bag shall be \$5.
- viii. Pursuant to OCCGF Title 10, Chapter 9, the monthly metered parking permits shall be \$25.
- ix. Pursuant to OCCGF Title 10, Chapter 9, a nonrefundable \$100 fee must accompany an application to establish a freight or passenger loading

zone, which is in addition to the actual costs of marking and/or signing the zone if the application is approved. The fee shall be waived for passenger loading zones at public schools.

x. Pursuant to OCCGF Title 10, Chapter 9, a \$75 combined application and installation fee shall be charged for disabled parking zones.

(2) **Courtesy parking.** Pursuant to OCCGF 10, Chapter 9, the cost of a courtesy parking space shall be \$400 per year for each parking space on Central Avenue, and \$300 per year for each parking space that is within the Downtown Parking Management District, but not on Central Avenue. This annual fee is in addition to the actual cost of installing the courtesy parking sign(s).

(3) **Pedlet Space Lease.** The cost for leasing each on-street parking space for the construction and occupancy of a “Pedlet” shall be the same cost as is established for a "Courtesy Parking Spot" prorated by month for the duration that the “Pedlet” consumes each on-street parking spot.

(4) **City parking facilities.** Pursuant to OCCGF Title 10, Chapter 9, the City Manager shall, on recommendation of the Parking Advisory Commission, establish the hourly, daily and monthly lease rates charged for parking in City owned or operated off street lots or garages.

A. **Parking Ramps/Garages.** The monthly lease rates for the City’s parking ramps/garages located at Second Avenue South/Third Street and First Avenue North/Fourth Street North shall be \$51 monthly. The City Manager may negotiate and authorize special incentive rates for bulk parking leases for customers who either lease numerous garage spaces and/or pre-pay leases for a period of one year or more. All fees for leases shall be non-refundable.

B. **City parking lots.** The lease rates for parking lots 2, 4, 6, 7 & 8, shall be \$0.50 per hour/\$5 per day/\$35 monthly. The City Manager may negotiate and authorize special incentive rates for bulk parking leases for customers who either lease numerous surface lot spaces and/or pre-pay leases for a period of one year or more. All fees for leases shall be non-refundable.

C. **Digital Permits for Parking.** A \$2.50 per month service and license fee will be added to each active monthly garage or parking lot permit. Those customers purchasing an annual permit will be charged \$4.00, or charged \$.33 per month for each active annual permit.

(5) **Parking management district map.** The “Official Parking Management District Map of the City of Great Falls, Montana,” is adopted as appended to this Resolution.

(6) **Parking Penalties – Outside Downtown Parking District.** Penalties for all violations listed in Title 10 of the OCCGF occurring outside of the Downtown Parking District as reflected on the “Official Parking Management District Map of the City of Great Falls” referenced in Section (5) above shall be \$20, except as follows:

- (a) the fine for violations in disabled parking zones shall be \$100; and
- (b) the fines for citations issued under OCCGF 10.9.330 shall be:
  - 1<sup>st</sup> citation: \$50
  - 2<sup>nd</sup> citation: \$100
  - 3<sup>rd</sup> or subsequent citation: \$200

**BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,** that this Resolution shall be in full force and effect upon adoption, superseding and repealing Resolution 10420.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, March 15, 2022.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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Jeffrey M. Hindoien, City Attorney



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** 2018 Long Range Transportation Plan – Minor Amendment #2 **OF1662.1**

**From:** Andrew Finch, Senior Transportation Planner

**Initiated By:** Great Falls Transportation Planning Process

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

**Action Requested:** Approve Amendment #2 to the 2018 Great Falls Area Long Range Transportation Plan

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/deny) Amendment #2 to the 2018 Great Falls Area Long Range Transportation Plan.”

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

**Staff Recommendation:** Approve Amendment #2 to the 2018 Great Falls Area Long Range Transportation Plan.

**Summary:** The Long Range Transportation Plan (LRTP) for the Great Falls area was last updated in 2018, with a minor amendment in 2019. Recently, a new project has been proposed by City staff that requires an amendment to the LRTP to add the project to the “Recommended Projects” list.

**Background:** The proposed Amendment #2 includes the addition of a sidewalk infill project in the northwest quadrant of the City, focusing on sidewalk gaps near schools, parks, commercial corridors and utility corridors.

The project and associated amendment are summarized below.

**City Sidewalk Infill Project**

A project to install missing sidewalks around schools and parks and in key locations was first approved in 2011, but was never initiated. Recently, the City of Great Falls has identified key gaps in the sidewalk network for the northwest quadrant of the City, provided accurate cost estimates, and recommended this project be funded with federal CMAQ (Congestion Mitigation and Air Quality) funds in the amount of approximately \$4.7 million. City staff intend to continue efforts to “fill the gaps” in other areas of the



City, as funding opportunities become available. The proposed infill locations are shown on Attachment 1 to this report.

The LRTP must be “fiscally constrained” – that is, the monies projected to be available over the span of the Plan are sufficient to fund all recommended projects. While this project is included in the Plan’s Non-Motorized “Committed Projects” list, it was not included in the overall funding table. The attached revised Tables (Attachment 2) show there are ample funds available to fund the proposed project and, therefore, demonstrate fiscal constraint.

Additionally, the Plan must continue to demonstrate conformance with national air quality standards. Because this project is considered an “exempt” project (will not increase the City’s carbon monoxide emissions or introduce particulates into the air), this proposed Amendment #2 will not affect the air quality conformance determination of the Plan.

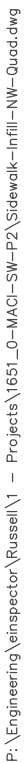
**Fiscal Impact:** Because the Amendment would allow the City Sidewalk Infill project to proceed, the City Public Works Department has committed providing around \$630,000 in non-federal match. The source of the non-federal match is yet to be identified, but will likely be requested from future State gas tax allocations, made available through the State’s Bridge and Road Safety Accountability Act (BaRSAA) Program.

**Alternatives:** The Commission could choose to take no action, deny Amendment #2, or return the amendment to staff for revision.

**Concurrences:** The Great Falls Technical Advisory Committee (TAC) and the Great Falls Planning Advisory Board have approved Amendment #2 to the Great Falls Area Long Range Transportation Plan. Additionally, the Planning Advisory Board has recommended approval of Amendment #2 by the Great Falls City Commission. Final action will be by the Policy Coordinating Committee, after action by Cascade County.

**Attachments/Exhibits:**

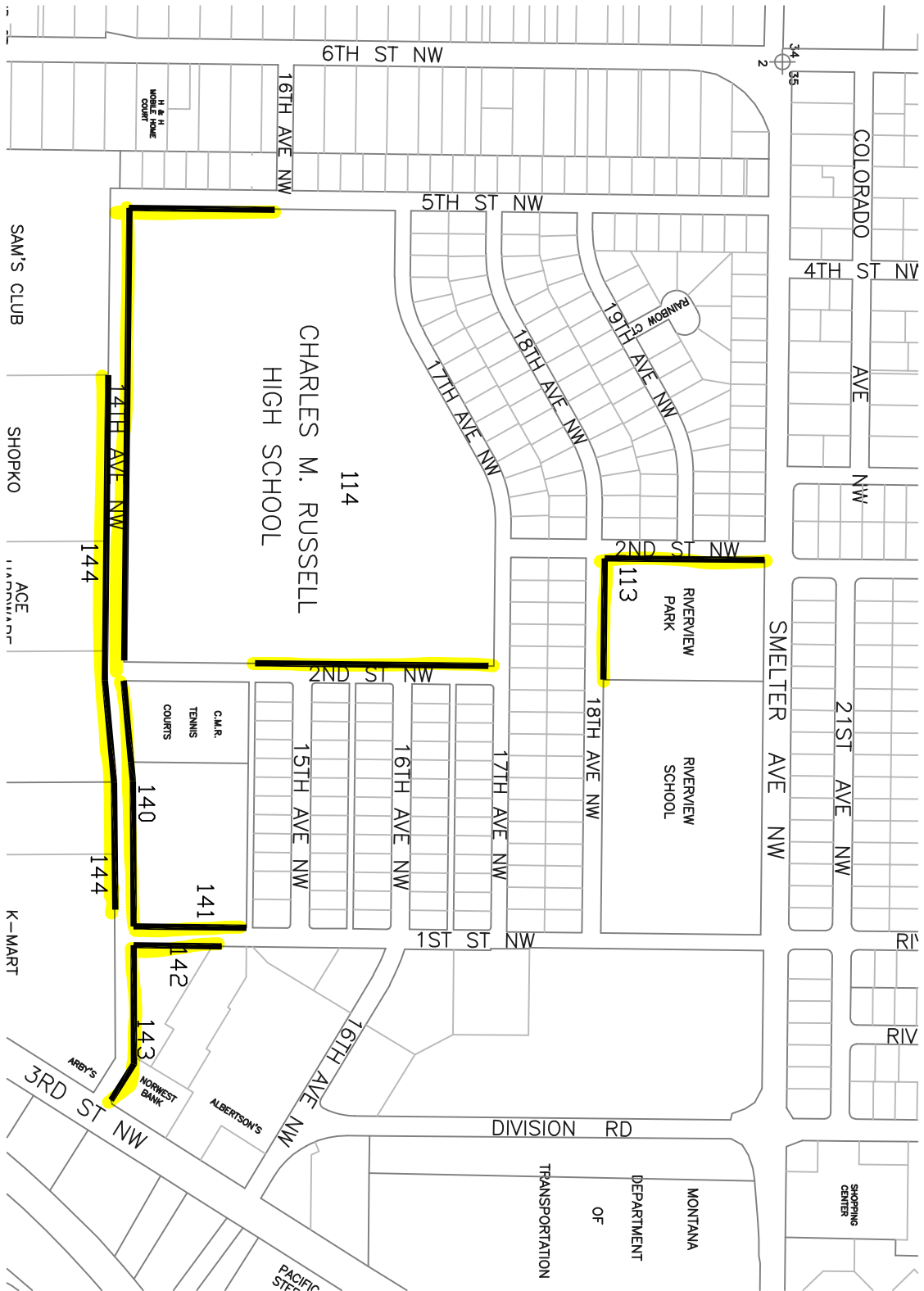
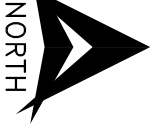
- 1) City Sidewalk Infill Project location map
- 2) Amendment #2 summary and tables



VICINITY  
MAP

3-15-20

101



# CITY SIDEWALK INFILL NW QUADRANT

## VICINITY MAP

3 OF 4

3-15-20



## ATTACHMENT 2

**Summary of Amendment #2 to the 2018 Great Falls Area Long Range Transportation Plan**Edits to reflect adding CMAQ-funded Sidewalk Infill project to Recommended Project list:

## MAIN DOCUMENT

Page 59: Table 13 – Add Sidewalk Infill project to list of Recommended Projects as R15 and update total cost.

Page 106: Table 18 (Comparison of LRTP Estimated Costs and Available Revenue) – Revise to show additional CMAQ expenditure in years 2023-2038 (increase by \$4,707,542) and update totals.

## APPENDIX F

Page 15: Add City Sidewalk Infill project as “R-15” to Recommended Projects and adjust Recommended Projects total on same page.

Page 28: Table 6 (Recommended Sidewalks) – add City Sidewalk Infill project as “SW-24” and update total.

## APPENDIX H

Page 20: Revise Table 5 (Recommended Projects) to include new project R15 and updated total.

Page 22: Revise Table 6 (Comparison of LRTP Estimated Costs and Available Revenue) to show additional CMAQ expenditure in years 2023-2038 (increase by \$4,707,542) and update totals.

**2018 GREAT FALLS LONG RANGE  
TRANSPORTATION PLAN  
AMENDMENT #2**

**EDITED TABLES**

## 4.5. Recommended Projects

A number of projects that could be completed within the 20-year planning horizon but were not included in the five-year TIP were identified as recommended projects. Project cost estimates for the recommended projects are planning-level estimates. They are in anticipated year-of-expenditure dollars (using a yearly inflation factor of 3%) and include all project phases. Any project considered for advancement should undergo a current cost estimate, which would include an examination of site conditions and subsequent development of more detailed project scope. The identified projects are anticipated to be funded beyond 2022 and within the planning horizon (2038). **Table 13** presents the recommended projects for the years 2022-2038.

**Table 13: Recommended Projects**

ID	Name	Description	Funding Source	YOE	Estimated Cost
R1	River Drive N – 15th St N to 25th St N	Reconstruct to three-lane arterial and improvements to 25th St N intersection	NHPP	Beyond 2022	\$7,500,000
			HSIP		\$3,000,000
			MACI		\$3,000,000
			STPU		\$1,000,000
R2	Fox Farm Intersection Improvements	Install dual eastbound left-turn lanes	MACI	Beyond 2022	\$100,000
R3	Signal Modifications/Upgrades/Roundabout Control	Upgrade all signal heads in the City	MACI	Beyond 2022	\$270,000
R4	Central Avenue W – 3rd St NW to 1st Ave N	Restriping and intersection modifications	NHPP	Beyond 2022	\$867,000
R5	26th Street S – 24th Ave S to 33rd Ave S	Flatten fill slopes on 26th St S and install 4-way stop control at intersection of 26th St S and 33rd Ave S	COUNTY	Beyond 2022	\$478,000
R6	Central Avenue / 9th Street Intersection	Modify intersection	MACI	Beyond 2022	\$17,000
R7	25th Street S – 10th Ave S to 11th Ave S	Modify to one-way in southbound direction	STPU	Beyond 2022	\$23,000
R8	25th Avenue NE – Old Havre Hwy to 15th St N	Several improvements to improve safety and operations	STPU	Beyond 2022	\$338,000
R9	Emerson Junction Feasibility Study	Secure local project sponsor to fund an operational analysis/feasibility study of the interchange	CITY	Beyond 2022	\$250,000
R10	Gore Hill Interchange with Southbound Auxiliary Lane	Install additional traffic control at interchange and construct southbound auxiliary lane	NHPP	Beyond 2022	\$4,750,000
			HSIP		\$2,250,000
			MACI		\$2,400,000
			NHPB		\$1,500,000
R11	Fox Farm Road – Alder Dr to Park Garden Rd	Restripe to four-lane facility	STPU	Beyond 2022	\$810,000
R12	Giant Springs Road – Hatchery to Rainbow Dam	Overlay with new asphalt and widen	UPP	Beyond 2022	\$3,377,000
R13	9th Street NW – NW Bypass to Central Ave W	Reconstruct to collector	STPU	Beyond 2022	\$5,177,000
R14	Watson Coulee Road – NW Bypass to Vaughn Rd	Reconstruct to collector	STPU	Beyond 2022	\$2,052,396
R15	City Sidewalk Infill	Install sidewalks and ADA ramps in various locations	MACI	Beyond 2022	\$4,707,542
TOTAL RECOMMENDED PROJECTS:					\$43,866,938



**Table 18: Comparison of LRTP Estimated Costs and Available Revenue (Planning Year 2038)**

Funding Source	2018-2022			2023-2038		
	Anticipated Funding*	Expenditures	Difference	Projected Funding**	Expenditures	Difference
<b>FEDERAL</b>						
<b>National Highway Performance Program</b>	<b>\$16,384,756</b>	<b>\$16,384,756</b>	<b>\$0</b>	<b>\$38,835,795</b>	<b>\$37,117,000</b>	<b>\$1,718,795</b>
<i>Interstate Maintenance (IM) and National Highway (NH)</i>	<i>\$15,342,011</i>	<i>\$15,342,011</i>	<i>\$0</i>	<i>\$35,625,000</i>	<i>\$35,617,000</i>	<i>\$8,000</i>
<i>National Highway Performance Bridge (NHPB)</i>	<i>\$1,042,745</i>	<i>\$1,042,745</i>	<i>\$0</i>	<i>\$3,210,795</i>	<i>\$1,500,000</i>	<i>\$1,710,795</i>
<b>Surface Transportation Program</b>	<b>\$15,936,338</b>	<b>\$10,137,679</b>	<b>\$3,746,263</b>	<b>\$42,534,105</b>	<b>\$24,600,000</b>	<b>\$21,680,368</b>
<i>Surface Transportation Program Urban Highways (STPU)</i>	<i>\$10,523,208</i>	<i>\$6,776,945</i>	<i>\$3,746,263</i>	<i>\$21,456,135</i>	<i>\$10,723,000</i>	<i>\$14,479,398</i>
<i>Urban Pavement Preservation Program (UPP)</i>	<i>\$4,147,829</i>	<i>\$4,147,829</i>	<i>\$0</i>	<i>\$18,077,970</i>	<i>\$10,877,000</i>	<i>\$7,200,970</i>
<i>Set-aside Program - Transportation Alternatives (TA)***</i>	<i>\$1,265,301</i>	<i>\$1,265,301</i>	<i>\$0</i>	<i>\$3,000,000</i>	<i>\$3,000,000</i>	<i>\$0</i>
<b>Highway Safety Improvement Program (HSIP)</b>	<b>\$3,086,310</b>	<b>\$3,086,310</b>	<b>\$0</b>	<b>\$7,500,000</b>	<b>\$7,500,000</b>	<b>\$0</b>
<b>Congestion Mitigation and Air Quality Improvement Program (CMAQ)</b>	<b>\$17,030,538</b>	<b>\$4,347,300</b>	<b>\$12,683,238</b>	<b>\$41,403,870</b>	<b>\$17,994,542</b>	<b>\$23,409,328</b>
<i>Montana Air and Congestion Initiative (MACI) - Guaranteed Program</i>	<i>\$14,172,238</i>	<i>\$1,489,000</i>	<i>\$12,683,238</i>	<i>\$23,095,755</i>	<i>\$10,494,542</i>	<i>\$23,409,328</i>
<i>Montana Air and Congestion Initiative (MACI) - Discretionary Program****</i>	<i>\$2,858,300</i>	<i>\$2,858,300</i>	<i>\$0</i>	<i>\$18,308,115</i>	<i>\$7,500,000</i>	<i>\$0</i>
<b>Federal Transit Authority (FTA) Funds</b>	<b>\$14,364,000</b>	<b>\$14,364,000</b>	<b>\$0</b>	<b>\$42,975,000</b>	<b>\$42,975,000</b>	<b>\$0</b>
<b>STATE AND LOCAL</b>						
<b>TransADE</b>	<b>\$198,000</b>	<b>\$198,000</b>	<b>\$0</b>	<b>\$594,000</b>	<b>\$594,000</b>	<b>\$0</b>
<b>Operations and Maintenance</b>	<b>\$10,895,000</b>	<b>\$10,895,000</b>	<b>\$0</b>	<b>\$32,685,000</b>	<b>\$30,000,000</b>	<b>\$2,685,000</b>
<i>State</i>	<i>\$8,260,000</i>	<i>\$8,260,000</i>	<i>\$0</i>	<i>\$24,780,000</i>	<i>\$22,500,000</i>	<i>\$2,280,000</i>
<i>County</i>	<i>\$2,635,000</i>	<i>\$2,635,000</i>	<i>\$0</i>	<i>\$7,905,000</i>	<i>\$7,500,000</i>	<i>\$405,000</i>
<b>State Fuel Tax****</b>	<b>\$5,832,205</b>	<b>\$0</b>	<b>\$5,832,205</b>	<b>\$17,496,615</b>	<b>\$728,000</b>	<b>\$22,600,820</b>
<i>City</i>	<i>\$4,842,940</i>	<i>\$0</i>	<i>\$4,842,940</i>	<i>\$14,528,820</i>	<i>\$250,000</i>	<i>\$19,121,760</i>
<i>County</i>	<i>\$989,265</i>	<i>\$0</i>	<i>\$989,265</i>	<i>\$2,967,795</i>	<i>\$478,000</i>	<i>\$3,479,060</i>
<b>HB473 Gas Tax Funds (BaRSSA)****</b>	<b>\$2,165,835</b>	<b>\$0</b>	<b>\$2,165,835</b>	<b>\$6,497,505</b>	<b>\$0</b>	<b>\$8,663,340</b>
<i>City</i>	<i>\$1,802,055</i>	<i>\$0</i>	<i>\$1,802,055</i>	<i>\$5,406,165</i>	<i>\$0</i>	<i>\$7,208,220</i>
<i>County</i>	<i>\$363,780</i>	<i>\$0</i>	<i>\$363,780</i>	<i>\$1,091,340</i>	<i>\$0</i>	<i>\$1,455,120</i>
<b>Total</b>	<b>\$85,892,982</b>	<b>\$61,465,441</b>	<b>\$24,427,541</b>	<b>\$219,713,775</b>	<b>\$161,508,542</b>	<b>\$82,632,774</b>

\* 2018-2022 Expected Funding is per the Great Falls Transportation Improvement Program FY 2018-2022.

\*\*2023-2038 Projected Funding is estimated based on past funding levels and is the best information available at this time. There is no guarantee that funding will be available in the future.

\*\*\*TA funds are allocated through a competitive process. Funding is not guaranteed and is dependent on availability.

\*\*\*\*Great Falls does not receive an annual allocation of MACI Discretionary funding. Funding is allocated based on need and is not guaranteed.

**R-13. 9<sup>th</sup> Street NW – NW Bypass to Central Ave W**

This roadway serves as an important north-south collector and is located in an urban setting. The roadway exhibits aging infrastructure. The roadway is very narrow and lacks consistent pedestrian facilities. Concerns have been expressed from the public on the removal of on-street parking along the route, especially closer to NW Bypass. Increased traffic on this roadway is expected so it is recommended that this roadway be reconstructed to a collector street standard.

- Estimated Cost: \$5,177,000

**R-14. Watson Coulee Road – NW Bypass to Vaughn Rd**

Aging infrastructure, lack of pedestrian facilities, traffic mixture, termini geometrics are noted as problems on Watson Coulee Road. This roadway generally has curb and gutter on both sides, but no sidewalks. The roadway surfacing is in varying states of deterioration. Reconstruction of this roadway to bring up to current standards would improve this north-south link on the western edge of the city limits. It is recommended that this roadway be reconstructed to a collector street standard.

- Estimated Cost: \$2,052,396

**R-15. City Sidewalk Infill – Various Locations**

Install missing segments of sidewalks and pedestrian ramps in existing, developed areas within the City of Great Falls.

- Estimated Cost: \$4,707,542

**TOTAL RECOMMENDED PROJECTS = \$43,866,938**

**4.4. ILLUSTRATIVE (UNFUNDED) PROJECTS**

System deficiencies and needs are often not fundable in the foreseeable future. However, funding opportunities often arise over time, often from unexpected sources. To be prepared to take advantage of such opportunities, the following list of projects is provided, with no identified funding source or schedule for construction/implementation. While the project costs have been estimated, most are presented in a year 2038 year-of-expenditure, using a 3% yearly inflation rate to reach year-of-expenditure. Such projects are included for illustration purposes only, and are not considered to be applicable components of the fiscal constraint requirements of the LRTP. However, it is likely that some of them will become funded at some point during the 20-year planning horizon even though no current source is known.

**I-1. 40<sup>th</sup> Avenue S – Upper River Rd to 13<sup>th</sup> St**

It is recommended that this piece of roadway be overlaid with new asphalt. This project was contained in the past transportation plan for Great Falls.

- Estimated Cost: \$2,926,000

**I-2. Franklin Avenue – Lower River Rd to 13<sup>th</sup> St**

It is recommended that this piece of roadway be overlaid with new asphalt. This project was contained in the past transportation plan for Great Falls.

- Estimated Cost: \$1,688,000

**I-3. Wilson Butte Road – Eden Rd to LRTP boundary**

It is recommended that poor sections on this piece of roadway be overlaid with new asphalt.

- Estimated Cost: \$2,251,000

ID	Location	Description	Length (miles)	Estimated Cost
SW-11	15th St N Railroad to River Drive	Large gaps on the east side of the street.	0.08	\$24,200
SW-12	15th St N 8th Ave N to 10th Ave N	Close gap in sidewalk as this path may eventually access River's Edge Trail. Large goat trails are already present.	0.1	\$30,000
SW-13	14th St N 8th Ave N to 12th Ave N	Large gaps on west side of roadway.	0.21	\$61,300
SW-14	NW Bypass Stuckey Road to 9th St NW	Install sidewalks on both sides of roadway, there are currently no sidewalks on this route.	0.74	\$220,200
SW-15	3rd Ave S 46th St S to 51st St S	Most of these lots are developed and may not redevelop. Sidewalks should be retrofitted.	0.22	\$65,900
SW-16	4th St S 15th Ave S to 13th Ave S	Gap in sidewalk exists over 3 parcels, two of which are already developed.	0.05	\$14,300
SW-17	4th St S 16th Ave S to 17th Ave S	Sidewalk gap along one side of residential lot.	0.01	\$2,800
SW-18	4th St S 17th Ave S to 18th Ave S	Sidewalk gap along one side of residential lot.	0.02	\$5,600
SW-19	23rd Ave NE Division Road to 4th St NE	Provides a sidewalk connection to Jaycee Park (pool) and helps get people from their cars to the front door. Also connects to new crosswalk.	0.19	\$56,100
SW-20	13th Ave S 5th St S to 7th St S	Sidewalk gaps exist and about half of corridor is already developed. This is low priority as the south side of the road already has sidewalks.	0.15	\$45,600
SW-21	7th St S 10th Ave S to 13th Ave S	Sidewalk gaps exists over developed parcels on both sides of the street. Will need some access control.	0.09	\$28,000
SW-22	13th Ave S 7th St S to 9th St S	Discontinuity in sidewalk in front of ERA American Horizon. Modifications should be made to make this continuous for pedestrians.	0.03	\$9,700
SW-23	5th Ave NW 9th St NW to 6th St NW	Complete sidewalks on both sides of the street.	0.17	\$49,800
SW-24	Various	Discontinuity in sidewalks in existing neighborhoods and commercial areas. Fill in gaps near schools, parks, commercial areas and neighborhoods within the City.	n/a	\$4,707,542

**TOTAL SIDEWALK PROJECTS:****\$5,548,742**

## 5.3. BICYCLE IMPROVEMENTS

This section outlines potential active transportation facilities relative to shared lane markings, bike lanes, shared use paths, and other spot improvements. The recommendations are intended to encourage active living by residents and visitors and accommodate a variety of ability levels with particular emphasis on establishing a well-connected bicycling network that is comfortable and accessible to a wider range of the population. Priority issues and proposed recommendations are based on analysis of deficiencies, crash data, public input, and overall opportunities and constraints in the Great Falls area.

### 5.3.1. Overview

Improving the on- and off-street bicycling network will provide cohesive connections between destinations and will contribute to the viability of the bicycle as a transportation mode choice. Although the existing roadway network does not preclude bicycle use, connectivity needs to be accounted for when considering bicycle features.

Table 6: Comparison of LRTP Estimated Costs and Available Revenue (Planning Year 2038)

Funding Source	2018-2022			2023-2038		
	Anticipated Funding*	Expenditures	Difference	Projected Funding**	Expenditures	Difference
FEDERAL						
<b>National Highway Performance Program</b>	<b>\$16,384,75</b>	<b>\$16,384,75</b>	<b>\$0</b>	<b>\$38,835,79</b>	<b>\$37,117,00</b>	<b>\$1,718,79</b>
Interstate Maintenance (IM) and National Highway (NH)	\$15,342,01	\$15,342,01	\$0	\$35,625,00	\$35,617,00	\$8,000
National Highway Performance Bridge (NHPB)	\$1,042,74	\$1,042,74	\$0	\$3,210,79	\$1,500,00	\$1,710,79
<b>Surface Transportation Program</b>	<b>\$15,936,33</b>	<b>\$12,190,07</b>	<b>\$3,746,26</b>	<b>\$42,534,10</b>	<b>\$24,600,00</b>	<b>\$21,680,36</b>
Surface Transportation Program Urban Highways (STPU)	\$10,523,20	\$6,776,94	\$3,746,26	\$21,456,13	\$10,723,00	\$14,479,39
Urban Pavement Preservation Program (UPP)	\$4,147,82	\$4,147,82	\$0	\$18,077,97	\$10,877,00	\$7,200,97
Set-aside Program - Transportation Alternatives (TA)***	\$1,265,30	\$1,265,30	\$0	\$3,000,00	\$3,000,00	\$0
<b>Highway Safety Improvement Program (HSIP)</b>	<b>\$3,086,31</b>	<b>\$3,086,31</b>	<b>\$0</b>	<b>\$7,500,00</b>	<b>\$7,500,00</b>	<b>\$0</b>
<b>Congestion Mitigation and Air Quality Improvement Program</b>	<b>\$17,030,53</b>	<b>\$4,347,30</b>	<b>\$12,683,23</b>	<b>\$41,403,87</b>	<b>\$17,994,54</b>	<b>\$23,409,32</b>
Montana Air and Congestion Initiative (MACI) - Guaranteed Program	\$14,172,23	\$1,489,00	\$12,683,23	\$23,095,75	\$10,494,54	\$23,409,32
Montana Air and Congestion Initiative (MACI) - Discretionary	\$2,858,30	\$2,858,30	\$0	\$18,308,11	\$7,500,00	\$0
<b>Federal Transit Authority (FTA) Funds</b>	<b>\$14,364,00</b>	<b>\$14,364,00</b>	<b>\$0</b>	<b>\$42,975,00</b>	<b>\$42,975,00</b>	<b>\$0</b>
STATE AND LOCAL						
<b>TransADE</b>	<b>\$198,000</b>	<b>\$198,000</b>	<b>\$0</b>	<b>\$594,000</b>	<b>\$594,000</b>	<b>\$0</b>
<b>Operations and Maintenance</b>	<b>\$10,895,00</b>	<b>\$10,895,00</b>	<b>\$0</b>	<b>\$32,685,00</b>	<b>\$30,000,00</b>	<b>\$2,685,00</b>
State	\$8,260,00	\$8,260,00	\$0	\$24,780,00	\$22,500,00	\$2,280,00
County	\$2,635,00	\$2,635,00	\$0	\$7,905,00	\$7,500,00	\$405,000
<b>State Fuel Tax****</b>	<b>\$5,832,20</b>	<b>\$0</b>	<b>\$5,832,20</b>	<b>\$17,496,61</b>	<b>\$5,343,00</b>	<b>\$22,600,82</b>
City	\$4,842,94	\$0	\$4,842,94	\$14,528,82	\$250,000	\$19,121,76
County	\$989,265	\$0	\$989,265	\$2,967,79	\$478,000	\$3,479,06
<b>HB473 Gas Tax Funds (BaRSSA)****</b>	<b>\$2,165,83</b>	<b>\$0</b>	<b>\$2,165,83</b>	<b>\$6,497,50</b>	<b>\$0</b>	<b>\$8,663,34</b>
City	\$1,802,05	\$0	\$1,802,05	\$5,406,16	\$0	\$7,208,22
County	\$363,780	\$0	\$363,780	\$1,091,34	\$0	\$1,455,12
<b>TOTAL</b>	<b>\$85,892,982</b>	<b>\$61,465,441</b>	<b>\$24,427,541</b>	<b>\$219,713,775</b>	<b>\$161,508,542</b>	<b>\$82,632,774</b>

\*2018-2022 Expected Funding is per the Great Falls Transportation Improvement Program FY 2018-2022.

\*\*2023-2038 Projected Funding is estimated based on past funding levels and is the best information available at this time. There is no guarantee that funding will be available in the future.

\*\*\*TA funds are allocated through a competitive process. Funding is not guaranteed and is dependent on availability.

\*\*\*\*Great Falls does not receive an annual allocation of MACI Discretionary funding. Funding is allocated based on need and is not guaranteed.

Illustrative projects do not have definite funding sources within the timeframe of the Plan. Therefore, these projects are not included in the summary for the purposes of fiscal constraint. As agencies review needs, identify new funding sources and plan projects, the long-range project list should be used as a guide for new projects.

By viewing the financial summary above and the projects recommendations, it is clear that it will be important to clearly identify the projects that are considered to have the highest priority through the already established Transportation Improvement Program (TIP) and Capital Improvement Program (CIP) processes. The mechanism for doing this is already in place through the Technical Advisory Committee (TAC) and the Policy Coordinating Committee (PCC).

This LRTP is fiscally responsible in that traditional funding programs, targeted to be utilized for the majority of the projects within the Great Falls area, are identified, available and likely to be funded at current or slightly smaller levels than in past years.

ID	Name	Description	Funding Source	YOE	Estimated Cost
P11	City Pavement Preservation Activities	Mill, overlay, seal & cover, chip seal, striping	UPP	2018-2022	\$2,500,00
				2023-2038	\$7,500,00
ANNUAL PROGRAM TOTAL					\$161,075,445

### 7.3. FUNDING OF RECOMMENDED PROJECTS

The recommended improvements are listed in the Facility Recommendations Memorandum. The projects typically allow maximum flexibility by the local government in implementing the various improvements. Assigning priority for the recommended projects is complicated by the fact that the State, city, and county all maintain jurisdiction over various portions of the street network where projects are proposed. Therefore, each of these entities may have separate priorities for implementing projects under their respective jurisdictions. Recommended improvement projects are summarized and shown in Table 4.

Table 5: Recommended Projects

ID	Name	Description	Funding Source	YOE	Estimated Cost
R1	River Drive N – 15th St N to 25th St N	Reconstruct to three-lane arterial and improvements to 25 <sup>th</sup> St N intersection	NHPP	Beyond 2022	\$7,500,000
			HSIP		\$3,000,000
			MACI		\$3,000,000
			STPU		\$1,000,000
R2	Fox Farm Intersection Improvements	Install dual eastbound left-turn lanes	MACI	Beyond 2022	\$100,000
R3	Signal Modifications/Upgrades/Roundabout Control	Upgrade all signal heads in the City	MACI	Beyond 2022	\$270,000
R4	Central Avenue W – 3rd St NW to 1st Ave N	Restriping and intersection modifications	NHPP	Beyond 2022	\$867,000
R5	26th Street S – 24th Ave S to 33rd Ave S	Flatten fill slopes on 26th St S and install 4-way stop control at intersection of 26th St S and 33rd Ave S	COUNTY	Beyond 2022	\$478,000
R6	Central Avenue / 9th Street Intersection	Modify intersection	MACI	Beyond 2022	\$17,000
R7	25th Street S – 10th Ave S to 11th Ave S	Modify to one-way in southbound direction	STPU	Beyond 2022	\$23,000
R8	25th Avenue NE – Old Havre Hwy to 15th St N	Several improvements to improve safety and operations	STPU	Beyond 2022	\$338,000
R9	Emerson Junction Feasibility Study	Secure local project sponsor to fund an operational analysis/feasibility study of the	CITY	Beyond 2022	\$250,000
R10	Gore Hill Interchange with Southbound Auxiliary Lane	Install additional traffic control at interchange and construct southbound auxiliary lane	NHPP	Beyond 2022	\$4,750,000
			HSIP		\$2,250,000
			MACI		\$2,400,000
			NHPB		\$1,500,000
R11	Fox Farm Road – Alder Dr to Park Garden Rd	Restripe to four-lane facility	STPU	Beyond 2022	\$810,000
R12	Giant Springs Road – Hatchery to Rainbow Dam	Overlay with new asphalt and widen	UPP	Beyond 2022	\$3,377,000
R13	9th Street NW – NW Bypass to Central Ave W	Reconstruct to collector	STPU	Beyond 2022	\$5,177,000
R14	Watson Coulee Road – NW Bypass to Vaughn Rd	Reconstruct to collector	STPU	Beyond 2022	\$2,052,396
R15	City Sidewalk Infill	Install missing sidewalks and ADA ramps	MACI (CMAQ)	Beyond 2022	\$4,707,542
TOTAL RECOMMENDED PROJECTS					\$43,866,938

Considerations for setting priorities for the recommended projects would include safety, cost of the project, availability of alternate funding, availability of right-of-way, ease of implementation, and community interest. Implementation of the projects, beginning with the projects that have the greatest need and available financing, will continue until all projects are completed.



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Resolution 10446 Intent to Expand the Boundaries of the Great Falls Business Improvement District within the City of Great Falls and set a Public Hearing for April 19, 2022

**From:** Melissa Kinzler, Finance Director

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

**Presented By:** Melissa Kinzler, Finance Director and Joan Redeen, Business Improvement District

**Action Requested:** City Commission Adopt Resolution 10446 and Set Public Hearing Date

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10446 and set a Public Hearing on the Expansion of the Great Falls Business Improvement District for April 19, 2022.”

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

**Staff Recommendation:** Staff recommends the City Commission adopt Resolution 10446 and set a public hearing on the Expansion of the Great Falls Business Improvement District for April 19, 2022.

**Background:** Montana Code Annotated (MCA) 7-12-1101 through 7-12-1151 provides statutory authority to the City Commission of the City of Great Falls to expand the boundaries of the Great Falls Business Improvement District (referred to in this part as the District.) Resolution 10446 deals only with the expanded area, and the existing District does not have to be reestablished per MCA 7-12-1112. Adoption of Resolution 10446 will establish the expanded boundaries of the District and will set the public hearing for the Resolution of Expansion (Resolution 10447) to be held on April 19, 2022.

The Great Falls Business Improvement District in the City of Great Falls was originally created in May 1989, re-created in July 1999, again in July 2009, and most recently in February 2019. Section 7-12-1141, MCA specifies that a Business Improvement District shall not be for a period longer than ten (10) years unless the duration of the District is extended in compliance with the provision for the creation of the District.

The City of Great Falls has been presented with petitions signed by 71.21% of the property owners within the proposed expanded areas to be included in the District. Pursuant to MCA 7-12-1111 **Establishment or expansion of district.** “(1) Upon receipt of a petition signed by the owners of more than 60% of the

area of the property proposed in the petition to be included in a district or in the expansion of a district, a governing body shall establish a district or expand a district as provided in this part.”

The proposed expanded boundaries of the District are shown on the map attached as Exhibit “A” and more precisely described on Exhibit “B” attached to the Resolution and made a part hereof.

Upon adoption of Resolution 10446, notices will be sent to the property owners as well as a legal notice printed in the Great Falls Tribune per MCA 7-12-1112. The public hearing for the expansion of the District is scheduled for April 19, 2022, 7:00 p.m. in the Commission Chambers.

The City Commission for the City of Great Falls has determined that the Great Falls Business Improvement District promotes the health, safety, prosperity, security and general welfare of the inhabitants of the City of Great Falls and has determined the District provides special benefits to those properties located within its boundaries.

**Fiscal Impact:** No direct fiscal impact to the City is anticipated as a result of expansion of the District. All costs are assessed against the properties within the boundaries of the District and those costs will be used to benefit the surrounding Downtown area. Exhibit C shows the proposed expanded area will bring in an estimated \$15,848 in increased assessment.

**Alternatives:** The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10446 to Expand the Boundaries of the Great Falls Business Improvement District.

**Concurrences:** Representatives from the Finance Department have been assisting the Great Falls Business Improvement District Board of Directors on the expansion of the District.

**Attachments/Exhibits:**

Resolution 10446 w/Exhibits

*A – Map of Proposed Expansion of the District*

*B – District Boundary description*

*C – Estimated District Assessment with the newly expanded area*

*D – Legal Notice of Publication*

*E – Letter to Property Owners within the newly expanded area*

Final Ballots to Expand BID – 71.21% in favor



## RESOLUTION NO. 10446

**A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXPAND THE BOUNDARIES OF THE GREAT FALLS BUSINESS IMPROVEMENT DISTRICT WITHIN THE CITY OF GREAT FALLS, MONTANA; DESCRIBING THE BOUNDARIES THEREOF AND ESTABLISHING THE COST TO BE ASSESSED AGAINST THE BENEFITED PROPERTIES**

**WHEREAS**, the City Commission of the City of Great Falls is authorized to create and administer a Business Improvement District as provided by 7-12-1101 through 7-12-1151 MCA; and,

**WHEREAS**, the City Commission of the City of Great Falls originally created the Great Falls Business Improvement District (referred to as District) in May 1989, re-created it in 1999, 2009, and 2019; and,

**WHEREAS**, the City Commission of the City of Great Falls according to Section 7-12-1141, MCA specified that a Business Improvement District shall not be for a period longer than ten (10) years unless the duration of the District is extended in compliance with the provisions for the creation of the District; and,

**WHEREAS**, in accordance with 7-12-1111(1) MCA, the City of Great Falls has been presented with petitions signed, and on file with the City Clerk, by 71.21% of the property owners in the expanded boundary which exceeds the statutorily required 60%, of the area of the property to be included in the Business Improvement District. The expanded boundary areas are shown on the map attached as Exhibit "A" and as described on Exhibit "B" and which by this reference is made a part hereof; and,

**WHEREAS**, in accordance with 7-12-1102 MCA, the City Commission for the City of Great Falls, Montana has determined the Great Falls Business Improvement District promotes the health, safety, prosperity, security and general welfare of the inhabitants of the City of Great Falls and the proposed District and provides special benefits to the properties located within the boundaries of the District.

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

Section 1

That the City Commission for the City of Great Falls, Montana intends to expand the boundaries of the Great Falls Business Improvement District pursuant to Section 7-12-1112, et seq., MCA, for the purpose and with the powers provided for in the State Statutes.



## Section 2

Said Great Falls Business Improvement District would have boundaries as shown on the attached Exhibit “A” and as described on the attached Exhibit “B” which, by this reference, is made a part thereof, provided, however, that all property owned by the United States Federal Government pursuant to federal prohibition on state or local entities imposing assessments on federal government is specifically excluded from the Business Improvement District and is exempt from its assessments.

## Section 3

Since the re-creation of the Great Falls Business Improvement District in 2019, there have been several projects and programs implemented by the District to help make the historic downtown clean, safe and vibrant. The businesses downtown have seen and witnessed the expansion of multiple businesses, a stronger tax base, redevelopment and employment opportunities that have attracted more people to the heart of the District and those businesses are wanting to be included within the District. The expansion of the Great Falls Business Improvement District will help include those properties.

## Section 4

The City Commission of the City of Great Falls hereby finds and determines that all real estate situated within the boundaries of said District will be especially benefited and affected by such improvements, and that all property included within the District is hereby declared to be the property to be assessed for the cost and expense of making said improvements.

The assessment formula has been presented to the new property owners within the expanded boundaries and recommended to the City Commission as follows:

- a flat fee of \$200.00 for each lot or parcel without a Land Use Code of 125
- a flat fee of \$50.00 for each lot or parcel with a designated Land Use Code of 125, which is a Residential Condominium
- an assessment of \$.00165 times the market valuation as provided by the Montana Department of Revenue, and an
- assessment of \$.015 times the square footage of the land area.

The assessable area and related costs for each lot or parcel of land to be included within the District’s boundaries are shown on Exhibit “C” attached and made a part hereof.

## Section 5

In accordance with § 7-1-4127, MCA, the City Clerk is hereby authorized and directed to publish notice of Resolution 10446 Exhibit “D”, the Intent to Expand the Boundaries of the Great Falls Business Improvement District for the purpose of expanding said District and setting a Public Hearing for April 19, 2022.

The City Clerk is hereby further directed to mail a copy of said notice to the owners of all the lots, blocks, pieces or parcels of land included within the boundaries of the proposed expansion of the Great Falls Business Improvement District. Said notice is to be published and mailed on the same date. A copy of the notice to be mailed is attached as Exhibit “E”.

Section 6

On Tuesday the 19<sup>th</sup> of April, 2022, at the City Commission Chambers, Room 206 in the Civic Center, Great Falls, Montana, at 7:00 o'clock p.m., the Commission will conduct a public hearing on the expansion of the Great Falls Business Improvement District and pass upon any written protests timely filed against the expansion of the District.

Within 15 days after the date of the first publication of the notice of passage of this resolution of expansion, any owner of property liable to be assessed for the cost of the District may make written protest to the City Clerk against the expansion of the District to be assessed or both.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this \_\_\_\_ day of March, 2022.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:





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

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeffrey M. Hindoiien, City Attorney

Agenda #17.

-  BID  
 City Properties  
 Federal Government Properties  
 Expanded BID

2/16/2022



Map exhibit is for reference only and is not  
survey grade. For questions, please contact  
City of Great Falls Mapping & Aerial Imagery Department.

***City of Great Falls***  
***Business Improvement District***  
***Exhibit “B” Resolution No. 10446***

**Proposed Expanded Boundary Description**

(This is not a survey...Generated from Exhibit A of Resolution)

**Point of Beginning:** Beginning at the intersection of the centerline of Park Drive North and the centerline of 1<sup>st</sup> Avenue North; thence north to the intersection of the centerline of Park Dr. N and the extended centerline of 2<sup>nd</sup> Alley North; thence east along the centerline of 2<sup>nd</sup> Alley North to its intersection with the centerline of 7<sup>th</sup> Street North; thence south along the centerline of 7<sup>th</sup> Street North to its intersection with the centerline of 1<sup>st</sup> Avenue North; thence east along the centerline of 1<sup>st</sup> Avenue North to its intersection with the centerline of 8<sup>th</sup> Street North; thence south along the centerline of 8<sup>th</sup> Street North to its intersection with the centerline of 1<sup>st</sup> Avenue South; thence west along the centerline of 1<sup>st</sup> Avenue South to its intersection with the centerline of 5<sup>th</sup> Street South; thence south along the centerline of 5<sup>th</sup> Street South to its intersection with the centerline of 2<sup>nd</sup> Avenue South; thence west along the centerline of 2<sup>nd</sup> Avenue South to a point 50 feet west of the extended east boundary line of Lot 1, Block 417, GFO; thence south along a line 50 feet west and parallel to the east boundary line of Lot 1, Block 417, GFO to its intersection with the south R/W line of 3<sup>rd</sup> Alley South; thence west along the south R/W line of 3<sup>rd</sup> Alley South and southwest along the north boundary line of Lot 1, Block 11, Broadwater Bay Business Park (BBP) to a point 25 feet southwest of the east R/W line of 3<sup>rd</sup> Alley South; thence northwest along a line 25 feet southwest of and parallel to the east R/W line of 3<sup>rd</sup> Alley South to its intersection with the south R/W line of 2<sup>nd</sup> Avenue South; thence west along the south R/W line of 2<sup>nd</sup> Avenue South to a point 30 feet west of its intersection with the extended centerline of Park Drive South; thence northwest along the centerline of Park Drive South to its intersection with the extended south boundary line of the tract of land described as Mark 22K in NE ¼ of Sect. 11, Township 20N, Range 3E; thence southwest along the extended south boundary line of the Mark 22K tract of land to its intersection with the centerline of the BNSF Railroad; thence west along the centerline of the BNSF Railroad to the intersection of the centerline of BNSF Railroad’s north-south track split; thence north along the centerline of the north track of the BNSF Railroad to its intersection with the centerline of 1<sup>st</sup> Avenue North; thence west along the centerline of 1<sup>st</sup> Avenue North to its intersection with the centerline of Park Drive North and the point of beginning.

**PROPOSED EXPANSION OF GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
RESOLUTION #10446 - EXHIBIT "C"  
APPROXIMATE ASSESSMENTS FOR FISCAL YEAR 2022, TAX YEAR 2021  
March 15, 2022**

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	FLAT FEE	TOTAL SQ.FT.	SQ.FT. COST 0.015	MARKET VAL. LAND	MARKET VAL. IMPS.	VALUATION TOTAL	VALUATION COST 0.00165	TOTAL B.I.D. ANNUAL ASSESSMENT
156750	CHS INC	GFO		\$ 200	15,000	\$ 225.00	82,125	514,420	596,545	\$ 984.30	\$ 1,409.30
156950	COMMUNITY HEALTH CARE CENTER INC	GFO		\$ 200	37,500	\$ 562.50	115,875	589,725	705,600	\$ 1,164.24	\$ 1,926.74
157400	COX DOUGLAS J & KENT D	GFO		\$ 200	7,500	\$ 112.50	48,375	172,025	220,400	\$ 363.66	\$ 676.16
157450	517 LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	594,260	659,510	\$ 1,088.19	\$ 1,513.19
157500	RYSTED PETER L LIVING TRUST	GFO		\$ 200	11,250	\$ 168.75	56,813	201,787	258,600	\$ 426.69	\$ 795.44
157600	KUNZ JASON R	GFO		\$ 200	3,750	\$ 56.25	39,938	278,262	318,200	\$ 525.03	\$ 781.28
157650	BRANDENBERGER NED R & JENNIFER	GFO		\$ 200	3,750	\$ 56.25	39,938	44,962	84,900	\$ 140.09	\$ 396.34
157750	EASTER SEALS GOODWILL N ROCKY MTN INC	GFO		\$ 200	22,500	\$ 337.50	132,750	2,409,850	2,542,600	\$ 4,195.29	\$ 4,732.79
157810	EASTER SEALS GOODWILL N ROCKY MTN INC	GFO		\$ 200	7,500	\$ 112.50	48,375	199,125	247,500	\$ 408.38	\$ 720.88
158100	THE PENNANT BUILDING LLC	GFO		\$ 200	7,509	\$ 112.64	48,375	465,025	513,400	\$ 847.11	\$ 1,159.75
158150	HANSON MICHAEL	GFO		\$ 200	7,507	\$ 112.61	48,375	323,000	371,375	\$ 612.77	\$ 925.37
158250	DESCHENES GARY S ETAL	GFO		\$ 200	4,200	\$ 63.00	40,950	473,850	514,800	\$ 849.42	\$ 1,112.42
158300	DSB TOWER LLC	GFO		\$ 200	15,037	\$ 225.56	65,250	17,660	82,910	\$ 136.80	\$ 562.36
158950	BIG SKY SELECT PROPERTIES LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	2,261,350	2,326,600	\$ 3,838.89	\$ 4,263.89
159150	CAMBRIDGE INVESTORS ONE LP	GFO		\$ 200	37,546	\$ 563.19	115,875	1,154,425	1,270,300	\$ 2,096.00	\$ 2,859.19
159225	BUCHANAN-BYRNE BUILDING PARTNERSHIP	GFO		\$ 200	22,500	\$ 337.50	82,125	1,191,275	1,273,400	\$ 2,101.11	\$ 2,638.61
159450	CENTRAL MONTANA PROPERTIES LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	167,590	215,965	\$ 356.34	\$ 668.84
159500	RAMSEY ANN C	GFO		\$ 200	11,250	\$ 168.75	56,813	202,387	259,200	\$ 427.68	\$ 796.43
159550	BENSLEY MARJORIE M	GFO		\$ 200	3,750	\$ 56.25	39,938	45,162	85,100	\$ 140.42	\$ 396.67
159600	BENSLEY MARJORIE M	GFO		\$ 200	3,750	\$ 56.25	39,938	89,562	129,500	\$ 213.68	\$ 469.93
159650	BENSLEY MARJORIE	GFO		\$ 200	3,750	\$ 56.25	39,938	158,590	198,528	\$ 327.57	\$ 583.82
159700	CONTEXT LLC	GFO		\$ 200	3,750	\$ 56.25	39,938	197,750	237,688	\$ 392.19	\$ 648.44
159725	BUCHANAN-BYRNE BUILDING PARTNERSHIP	GFO		\$ 200	11,295	\$ 169.43	56,813	11,920	68,733	\$ 113.41	\$ 482.83
159735	CONTEXT LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	211,225	259,600	\$ 428.34	\$ 740.84
159800	RELIGIOUS CONGRATATION OF BERLINER CONG	GFO		\$ 200	52,490	\$ 787.35	149,625	1,421,820	1,571,445	\$ 2,592.88	\$ 3,580.23
159850	DAVIDSON INVESTMENTS LLC	GFO		\$ 200	67,500	\$ 1,012.50	214,875	8,711,325	8,926,200	\$ 14,728.23	\$ 15,940.73
160300	PASSION & GRIT LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	717,350	782,600	\$ 1,291.29	\$ 1,716.29
160450	POBLANO PROPERTIES LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	528,350	593,600	\$ 979.44	\$ 1,404.44
160500	321 CENTRAL LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	724,750	790,000	\$ 1,303.50	\$ 1,728.50
160550	LERAY PROPERTIES LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	349,225	397,600	\$ 656.04	\$ 968.54
160600	METROPOLITAN LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	272,350	320,725	\$ 529.20	\$ 841.70
160650	BECKMANS BUILDING LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	337,690	386,065	\$ 637.01	\$ 949.51
160900	STOCKMAN BANK OF MONTANA	GFO		\$ 200	15,000	\$ 225.00	65,250	97,710	162,960	\$ 268.88	\$ 693.88
160950	BALTHAZAR ENTERPRISES LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	454,250	519,500	\$ 857.18	\$ 1,282.18
161050	HACKETT GARRY L & CHERYL D	GFO		\$ 200	7,500	\$ 112.50	48,375	683,910	732,285	\$ 1,208.27	\$ 1,520.77
161100	KAUFMAN MARY ANN & IRA M JR	GFO		\$ 200	7,500	\$ 112.50	48,375	402,225	450,600	\$ 743.49	\$ 1,055.99
161150	LEE ALAN B	GFO		\$ 200	3,750	\$ 56.25	39,938	119,862	159,800	\$ 263.67	\$ 519.92
161200	ENGE RICHARD C	GFO		\$ 200	3,750	\$ 56.25	39,938	66,362	106,300	\$ 175.40	\$ 431.65
161250	BIG BROTHERS HOLDING COMPANY LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	299,280	347,655	\$ 573.63	\$ 886.13
161300	STOCKMAN BANK OF MONTANA	GFO		\$ 200	15,000	\$ 225.00	65,250	1,642,450	1,707,700	\$ 2,817.71	\$ 3,580.23

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**March 15, 2022**

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	FLAT FEE	TOTAL SQ.FT.	SQ.FT. COST 0.015	MARKET VAL. LAND	MARKET VAL. IMPS.	VALUATION TOTAL	VALUATION COST 0.00165	TOTAL B.I.D. ANNUAL ASSESSMENT
161450	KELMAN DAVID & ZACHARY	GFO		\$ 200	3,750	\$ 56.25	39,938	90,462	130,400	\$ 215.16	\$ 471.41
161600	LITTLE WILLIAM L & SHONNA L	GFO		\$ 200	22,500	\$ 337.50	82,125	480,375	562,500	\$ 928.13	\$ 1,465.63
161650	SILVER STATE PARTNERS LLC	GFO		\$ 200	11,250	\$ 168.75	56,813	349,487	406,300	\$ 670.40	\$ 1,039.15
161700	MONTANA TIMES SQUARE LLC	GFO		\$ 200	22,500	\$ 337.50	82,125	817,475	899,600	\$ 1,484.34	\$ 2,021.84
161750	SHEVA LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	118,690	167,065	\$ 275.66	\$ 588.16
161800	HACKETT GARRY L & CHERYL D	GFO		\$ 200	15,000	\$ 225.00	65,250	319,520	384,770	\$ 634.87	\$ 1,059.87
162050	STARRY NIGHT HOSPITALITY LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	1,202,100	1,267,350	\$ 2,091.13	\$ 2,516.13
162100	TLMF INC	GFO		\$ 200	7,500	\$ 112.50	48,375	115,425	163,800	\$ 270.27	\$ 582.77
162150	LARSON EDWARD L	GFO		\$ 200	4,500	\$ 67.50	41,625	59,775	101,400	\$ 167.31	\$ 434.81
162200	LARSON EDWARD L	GFO		\$ 200	3,000	\$ 45.00	38,250	56,650	94,900	\$ 156.59	\$ 401.59
162250	HACKETT GARRY L & CHERYL D	GFO		\$ 200	7,500	\$ 112.50	48,375	770,260	818,635	\$ 1,350.75	\$ 1,663.25
162300	COMMUNITY HEALTH CARE CENTER INC	GFO		\$ 200	15,000	\$ 225.00	65,250	202,070	267,320	\$ 441.08	\$ 866.08
189100	STROMBERG ROBERT C & MARY D	GFO		\$ 200	45,000	\$ 675.00	132,750	2,061,150	2,193,900	\$ 3,619.94	\$ 4,494.94
189150	TUNGSTEN PROPERTIES LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	830,340	878,715	\$ 1,449.88	\$ 1,762.38
189200	BEBBINGTON MICHELLE	GFO		\$ 200	7,500	\$ 112.50	48,375	154,625	203,000	\$ 334.95	\$ 647.45
189250	SPENCER TIMOTHY W	GFO		\$ 200	3,750	\$ 56.25	39,938	148,160	188,098	\$ 310.36	\$ 566.61
189300	NORDRUM ORVILLE M & JOSEPHINE A	GFO		\$ 200	3,750	\$ 56.25	39,938	60,162	100,100	\$ 165.17	\$ 421.42
189350	HARRIS DAVID ALLAN	GFO		\$ 200	3,750	\$ 56.25	39,938	141,862	181,800	\$ 299.97	\$ 556.22
189400	DEVLIN LLC	GFO		\$ 200	3,750	\$ 56.25	39,938	73,070	113,008	\$ 186.46	\$ 442.71
189450	SPENCER TIMOTHY	GFO		\$ 200	7,500	\$ 112.50	48,375	252,525	300,900	\$ 496.49	\$ 808.99
189500	CENTER FOR MENTAL HEALTH INC OF GF MT	GFO		\$ 200	15,000	\$ 225.00	65,250	762,050	827,300	\$ 1,365.05	\$ 1,790.05
189550	CENTER FOR MENTAL HEALTH INC OF GF MT	GFO		\$ 200	7,500	\$ 112.50	48,375	549,125	597,500	\$ 985.88	\$ 1,298.38
189700	FLY AWAY LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	585,650	650,900	\$ 1,073.99	\$ 1,498.99
189750	SCHUBARTH SANDRA	GFO		\$ 200	7,500	\$ 112.50	48,375	291,425	339,800	\$ 560.67	\$ 873.17
189800	NOISHT PROPERTIES LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	270,625	319,000	\$ 526.35	\$ 838.85
189850	WEST HOLLYWOOD COWBOY HOTEL LLC ETAL	GFO		\$ 200	7,500	\$ 112.50	48,375	342,220	390,595	\$ 644.48	\$ 956.98
189900	ELMORE ROBERTS LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	2,279,250	2,344,500	\$ 3,868.43	\$ 4,293.43
190000	WVH ENTERPRISES LLC	GFO		\$ 200	566	\$ 8.49	32,513	2,110	34,623	\$ 57.13	\$ 265.62
190050	KEILMAN & TRUNKLE ENTERPRISES LLC	GFO		\$ 200	5,535	\$ 83.03	43,988	248,612	292,600	\$ 482.79	\$ 765.82
190150	ELMORE ROBERTS LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	7,110	55,485	\$ 91.55	\$ 404.05
190200	ELMORE ROBERTS LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	7,110	55,485	\$ 91.55	\$ 404.05
190250	CENTER FOR MENTAL HEALTH	GFO		\$ 200	7,500	\$ 112.50	48,375	578,370	626,745	\$ 1,034.13	\$ 1,346.63
190350	MADILL JASON C & TAMARA L	GFO		\$ 200	67,500	\$ 1,012.50	190,125	1,528,075	1,718,200	\$ 2,835.03	\$ 4,047.53
190450	BIG SKY SELECT MIGHT MO LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	326,280	374,655	\$ 618.18	\$ 930.68
190500	GREAT FALLS CENTRAL LLC	GFO		\$ 200	3,750	\$ 56.25	39,938	292,620	332,558	\$ 548.72	\$ 804.97
190600	M & L RENTALS LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	1,240,680	1,289,055	\$ 2,126.94	\$ 2,439.44
190650	SEMANSKY JOHN S & LISA SWAN	GFO		\$ 200	3,750	\$ 56.25	39,938	148,562	188,500	\$ 311.03	\$ 567.28
190700	WONG MING & SU	GFO		\$ 200	3,750	\$ 56.25	39,938	197,362	237,300	\$ 391.55	\$ 647.80
190800	FIRST BUILDING CORPORATION	GFO		\$ 200	22,500	\$ 337.50	82,125	-	82,125	\$ 135.51	\$ 673.01
190950	ATLANTIC FINANCIAL GROUP LTD	GFO		\$ 200	-	\$ -	-	5,267,200	5,267,200	\$ 8,690.88	\$ 8

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191050	ALLEY STEPHEN J	GFO		\$ 200	15,000	\$ 225.00	65,250	1,016,440	1,081,690	\$ 1,784.79	\$ 2,209.79
191100	WHITE BELLY PROPERTIES LLC	GFO		\$ 200	7,492	\$ 112.38	48,375	596,725	645,100	\$ 1,064.42	\$ 1,376.80
191150	JOVICK LEPARD LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	668,625	717,000	\$ 1,183.05	\$ 1,495.55
191300	FIRST NATIONAL BANK	GFO		\$ 200	15,000	\$ 225.00	65,250	14,560	79,810	\$ 131.69	\$ 556.69
191400	RICHARDS PHILLIP	GFO		\$ 200	15,000	\$ 225.00	65,250	552,450	617,700	\$ 1,019.21	\$ 1,444.21
191450	TOVSON LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	279,000	327,375	\$ 540.17	\$ 852.67
191500	CYRUS INVESTMENTS LLC	GFO		\$ 200	30,000	\$ 450.00	99,000	1,601,000	1,700,000	\$ 2,805.00	\$ 3,455.00
191550	FIRST NATIONAL BANK	GFO		\$ 200	52,500	\$ 787.50	149,625	426,660	576,285	\$ 950.87	\$ 1,938.37
191600	MONTANA INSTITUTE OF FAMILY LIVING	GFO		\$ 200	22,500	\$ 337.50	82,125	4,272,120	4,354,245	\$ 7,184.50	\$ 7,722.00
191700	MURPHY REAL ESTATE LLC	GFO		\$ 200	18,750	\$ 281.25	73,688	539,612	613,300	\$ 1,011.95	\$ 1,493.20
191750	MURPHY TIMOTHY M & DEBORAH S	GFO		\$ 200	11,250	\$ 168.75	56,813	70,687	127,500	\$ 210.38	\$ 579.13
191950	MONTANA INSTITUTE OF FAMILY LIVING	GFO		\$ 200	15,000	\$ 225.00	65,250	5,190	70,440	\$ 116.23	\$ 541.23
192100	BLANKENSHIP BOBBI	GFO		\$ 200	15,333	\$ 230.00	71,024	1,521,690	1,592,714	\$ 2,627.98	\$ 3,057.97
192150	Gaelic Properties Inc	GFO		\$ 200	11,250	\$ 168.75	56,813	446,987	503,800	\$ 831.27	\$ 1,200.02
192200	ARVON BLOCK DEVELOPMENT VENTURE LLC	GFO		\$ 200	11,237	\$ 168.56	56,813	2,386,687	2,443,500	\$ 4,031.78	\$ 4,400.33
192300	MURPHY REAL ESTATE LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	2,482,250	2,547,500	\$ 4,203.38	\$ 4,628.38
192350	WEIGAND JOHN W & PEGGY LOU ETAL	GFO		\$ 200	15,000	\$ 225.00	65,250	797,050	862,300	\$ 1,422.80	\$ 1,847.80
192450	JENNINGS LAND LIMITED PARTNERSHIP	GFO		\$ 200	7,500	\$ 112.50	48,375	120,125	168,500	\$ 278.03	\$ 590.53
192500	OIDHREACHT PROPERTIES LLC	GFO		\$ 200	20,016	\$ 300.24	74,849	302,270	377,119	\$ 622.25	\$ 1,122.49
192700	MURPHY REAL ESTATE LLC	GFO		\$ 200	46,237	\$ 693.56	135,585	40,990	176,575	\$ 291.35	\$ 1,184.90
192850	MURPHY REAL ESTATE LLC	GFO		\$ 200	6,229	\$ 93.44	45,540	357,880	403,420	\$ 665.64	\$ 959.08
192950	LAWYERS GUNS & MONEY LLC	GFO		\$ 200	9,017	\$ 135.26	51,750	1,153,150	1,204,900	\$ 1,988.09	\$ 2,323.34
193050	CTA BUILDING LLP	GFO		\$ 200	12,606	\$ 189.09	59,850	2,540,650	2,600,500	\$ 4,290.83	\$ 4,679.92
193100	CTA BUILDING LLP ETAL	GFO		\$ 200	1,800	\$ 27.00	35,550	-	35,550	\$ 58.66	\$ 285.66
193150	KELMAN ZOLLIE ETAL	GFO		\$ 200	14,100	\$ 211.50	63,225	207,670	270,895	\$ 446.98	\$ 858.48
193200	KELMAN ZOLLIE ETAL	GFO		\$ 200	15,000	\$ 225.00	65,250	803,650	868,900	\$ 1,433.69	\$ 1,858.69
193250	WHITE BELLY PROPERTIES LLC	GFO		\$ 200	7,500	\$ 112.50	48,375	238,025	286,400	\$ 472.56	\$ 785.06
193300	MARZETTA MICHAEL	GFO		\$ 200	7,500	\$ 112.50	48,375	348,325	396,700	\$ 654.56	\$ 967.06
193350	FERRIN WILLIAM E & MARY SUZANNE TRUST	GFO		\$ 200	7,500	\$ 112.50	48,375	315,025	363,400	\$ 599.61	\$ 912.11
193450	GREAT FALLS TRANSIT DISTRICT	GFO		\$ 200	15,000	\$ 225.00	65,250	290,520	355,770	\$ 587.02	\$ 1,012.02
193550	GREAT FALLS RESCUE MISSION	GFO		\$ 200	15,000	\$ 225.00	65,250	567,830	633,080	\$ 1,044.58	\$ 1,469.58
193650	FERRIN WILLIAM E & MARY SUZANNE TRUST	GFO		\$ 200	7,500	\$ 112.50	48,375	250,325	298,700	\$ 492.86	\$ 805.36
193700	WHITE BELLY PROPERTIES LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	19,550	84,800	\$ 139.92	\$ 564.92
193900	NEIGHBORHOOD HOUSING SERVICES INC	GFO		\$ 200	7,500	\$ 112.50	48,375	17,700	66,075	\$ 109.02	\$ 421.52
193950	PLACID RENTALS LLC	GFO		\$ 200	15,000	\$ 225.00	65,250	194,310	259,560	\$ 428.27	\$ 853.27
224650	PORTNEY ABBY KELMAN	GFO		\$ 200	19,483	\$ 292.25	77,144	377,856	455,000	\$ 750.75	\$ 1,243.00
616205	WHITCOMB BRENDAN	503		\$ 200	574	\$ 8.61	2,897	120,203	123,100	\$ 203.12	\$ 411.73
616210	FRANK PLUMLEE FAMILY TRUST	503	125	\$ 50	450	\$ 6.75	2,273	190,327	192,600	\$ 317.79	\$ 374.54
616215	HAGAN ROGER A	503	125	\$ 50	308	\$ 4.62	1,557	139,043	140,600	\$ 231.99	\$ 286.61
616220	FINLAYSON JAMES D	503	125	\$ 50	291	\$ 4.37	1,471	138,729	140,200	\$ 231.33	\$



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616225	REYNOLDS STEWART W & SARA A	503	125	\$ 50	500	\$ 7.50	2,522	197,878	200,400	\$ 330.66	\$ 388.16
616230	SAVAGE JEFFREY J ETAL	503	125	\$ 50	476	\$ 7.14	2,403	192,497	194,900	\$ 321.59	\$ 378.73
616235	WHITCOMB BRENDAN	503	125	\$ 50	469	\$ 7.04	2,369	190,431	192,800	\$ 318.12	\$ 375.16
616240	BENNETTS MARJORIE	503	125	\$ 50	268	\$ 4.02	1,352	128,348	129,700	\$ 214.01	\$ 268.03
616245	KUBAS HEATHER	503	125	\$ 50	416	\$ 6.24	2,102	167,598	169,700	\$ 280.01	\$ 336.25
616250	WHITCOMB BRENDAN	503		\$ 200	608	\$ 9.12	3,068	205,032	208,100	\$ 343.37	\$ 552.49
616255	WHITCOMB BRENDAN	503		\$ 200	311	\$ 4.67	1,568	65,232	66,800	\$ 110.22	\$ 314.89
616260	WHITCOMB BRENDAN	503		\$ 200	441	\$ 6.62	2,227	113,173	115,400	\$ 190.41	\$ 397.03
616265	WHITCOMB BRENDAN	503		\$ 200	444	\$ 6.66	2,244	88,356	90,600	\$ 149.49	\$ 356.15
616270	COMMUNITY HEALTH CARE CENTER INC	503		\$ 200	574	\$ 8.61	2,897	150,803	153,700	\$ 253.61	\$ 462.22
616275	UNDERWOOD JASON M	503	125	\$ 50	450	\$ 6.75	2,273	185,327	187,600	\$ 309.54	\$ 366.29
616280	GREEN BROOKS ETAL	503	125	\$ 50	549	\$ 8.24	2,772	199,228	202,000	\$ 333.30	\$ 391.54
616285	BISTODEAU JUDY K & GARY	503	125	\$ 50	444	\$ 6.66	2,244	188,856	191,100	\$ 315.32	\$ 371.98
616290	YEON JENEE S	503	125	\$ 50	417	\$ 6.26	2,108	179,192	181,300	\$ 299.15	\$ 355.40
616295	ROBERTS DUSTIN E	503	125	\$ 50	509	\$ 7.64	2,568	205,632	208,200	\$ 343.53	\$ 401.17
616300	JOHNSON CAROLINE B	503	125	\$ 50	416	\$ 6.24	2,102	177,898	180,000	\$ 297.00	\$ 353.24
616305	QUINN SUSAN E	503	125	\$ 50	549	\$ 8.24	2,772	198,528	201,300	\$ 332.15	\$ 390.38
616310	EULTGEN DARREN & CINDY	503	125	\$ 50	444	\$ 6.66	2,244	188,256	190,500	\$ 314.33	\$ 370.99
616315	EULTGEN DARREN & CINDY	503	125	\$ 50	417	\$ 6.26	2,108	177,992	180,100	\$ 297.17	\$ 353.42
616320	BURGAN VALERIE G	503	125	\$ 50	509	\$ 7.64	2,568	201,232	203,800	\$ 336.27	\$ 393.91
616325	WAKEMAN NORMAN S JR & MELYNN K	503	125	\$ 50	416	\$ 6.24	2,102	177,398	179,500	\$ 296.18	\$ 352.42
617100	WILLIAMS DONALD E TRUST ETAL	FP1		\$ 200	6,665	\$ 99.98	42,909	888,191	931,100	\$ 1,536.32	\$ 1,836.29
617150	WARD KRAIG ALLAN	FP1		\$ 200	871	\$ 13.07	5,466	197,420	202,886	\$ 334.76	\$ 547.83
620650	ROGERS DARYL D	CAP		\$ 200	3,615	\$ 54.23	15,680	89,520	105,200	\$ 173.58	\$ 427.81
620660	WILSON THOMAS M JR & KATHLEEN A	CAP		\$ 200	4,574	\$ 68.61	19,869	139,531	159,400	\$ 263.01	\$ 531.62
620670	MEADOWLARK HOME CARE LLC	CAP		\$ 200	6,839	\$ 102.59	29,702	135,698	165,400	\$ 272.91	\$ 575.50
628625	SEIDLITZ JOHN E JR ETAL	HBC		\$ 200	713	\$ 10.70	17,382	62,618	80,000	\$ 132.00	\$ 342.70
628630	CORDEIRO CHRIS A	HBC		\$ 200	713	\$ 10.70	17,382	62,618	80,000	\$ 132.00	\$ 342.70
647400	A&E RENTALS LLC	EBC		\$ 200	10,336	\$ 155.04	58,498	503,302	561,800	\$ 926.97	\$ 1,282.01
647402	UAZ BUILDING PARTNERSHIP	EBC		\$ 200	4,386	\$ 65.79	28,342	288,558	316,900	\$ 522.89	\$ 788.68
647404	RAILROAD SQUARE LLC	EBC		\$ 200	11,903	\$ 178.55	63,936	477,264	541,200	\$ 892.98	\$ 1,271.53
647406	UAZ BUILDING PARTNERSHIP	EBC		\$ 200	4,699	\$ 70.49	28,719	293,781	322,500	\$ 532.13	\$ 802.61
650100	MARTIN SCHULKE & ST JOHN LLP	HBB		\$ 200	10,000	\$ 150.00	33,000	397,160	430,160	\$ 709.76	\$ 1,059.76
650200	MARTIN SCHULKE & ST JOHN LLP	HBB		\$ 200	10,000	\$ 150.00	33,000	397,160	430,160	\$ 709.76	\$ 1,059.76
650300	MARTIN SCHULKE & ST JOHN LLP	HBB		\$ 200	10,000	\$ 150.00	33,000	397,160	430,160	\$ 709.76	\$ 1,059.76
651010	MEYER KATTIE & KIRKLEN A	JHC		\$ 200	936	\$ 14.04	6,037	298,063	304,100	\$ 501.77	\$ 715.81
651020	MONTCARE INC	JHC		\$ 200	588	\$ 8.82	3,793	36,630	40,423	\$ 66.70	\$ 275.52
651030	CONNER DENNIS & JANIS	JHC		\$ 200	542	\$ 8.13	3,793	124,307	128,100	\$ 211.37	\$ 419.50
651040	ROCKET CLONE LLC	JHC		\$ 200	560	\$ 8.40	3,609	151,191	154,800	\$ 255.42	\$ 463.82
651050	SUTTON DANNIE R SR	JHC		\$ 200	596	\$ 8.94	3,841	213,059	216,900	\$ 357.89	\$



**PROPOSED EXPANSION OF GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
RESOLUTION #10446 - EXHIBIT "C"  
APPROXIMATE ASSESSMENTS FOR FISCAL YEAR 2022, TAX YEAR 2021  
March 15, 2022**

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	FLAT FEE	TOTAL SQ.FT.	SQ.FT. COST 0.015	MARKET VAL. LAND	MARKET VAL. IMPS.	VALUATION TOTAL	VALUATION COST 0.00165	TOTAL B.I.D. ANNUAL ASSESSMENT
651090	NORTH DATA CENTER LLC	JHC		\$ 200	1,430	\$ 21.45	9,225	386,575	395,800	\$ 653.07	\$ 874.52
651100	OLSON KENNETH R & ILINDA M ETAL	JHC		\$ 200	2,770	\$ 41.55	4,044	224,256	228,300	\$ 376.70	\$ 618.25
651115	MARR LIVING TRUST	LJC	125	\$ 50	474	\$ 7.11	3,096	385,704	388,800	\$ 641.52	\$ 698.63
651120	MCCURRY BEATRICE C	LJC	125	\$ 50	474	\$ 7.11	3,096	240,304	243,400	\$ 401.61	\$ 458.72
651125	SALONEN WILLIAM W & SUSAN L	LJC	125	\$ 50	474	\$ 7.11	3,096	220,404	223,500	\$ 368.78	\$ 425.89
651501	L'HEUREUX PAGE WERNER PC	KAT		\$ 200	7,601	\$ 114.02	29,779	739,121	768,900	\$ 1,268.69	\$ 1,582.70
651502	MONTANA HOMEOWNERSHIP NETWORK INC	KAT		\$ 200	1,668	\$ 25.02	6,603	163,897	170,500	\$ 281.33	\$ 506.35
651503	SILVERTIP LLC	KAT		\$ 200	2,224	\$ 33.36	8,870	220,130	229,000	\$ 377.85	\$ 611.21
651504	NEIGHBORHOOD HOUSING SERVICES INC	KAT		\$ 200	1,112	\$ 16.68	4,369	126,770	131,139	\$ 216.38	\$ 433.06
651505	NEIGHBORHOOD HOUSING SERVICES INC	KAT		\$ 200	2,966	\$ 44.49	11,621	288,479	300,100	\$ 495.17	\$ 739.66
651506	NEIGHBORHOOD HOUSING SERVICES INC	KAT		\$ 200	2,966	\$ 44.49	20,884	518,416	539,300	\$ 889.85	\$ 1,134.34
2E+06	MCMANUS PROPERTIES LLC	T20N, R3E		\$ 200	31,363	\$ 470.45	102,067	694,280	796,347	\$ 1,313.97	\$ 1,984.42
2E+06	NORTHWESTERN CORP TRANSMISSION & DISTR	GF		\$ 200	26,250	\$ 393.75	-	2,331,129	2,331,129	\$ 3,846.36	\$ 4,440.11
2E+06	CENTURYLINK INC	GF		\$ 200	30,000	\$ 450.00	-	1,347,657	1,347,657	\$ 2,223.63	\$ 2,873.63
2E+06	ENERGY WEST MONTANA INC	GF		\$ 200	91,000	\$ 1,365.00	-	3,827,425	3,827,425	\$ 6,315.25	\$ 7,880.25
2E+06	DSB TOWER LLC	DSB		\$ 200	15,000	\$ 225.00	8,212	321,556	329,768	\$ 544.12	\$ 969.12
2E+06	DSB TOWER LLC	DSB		\$ 200	5,944	\$ 89.16	5,749	282,378	288,127	\$ 475.41	\$ 764.57
2E+06	FRANCIS MARIE PSALM 27:17 LLC	DSB		\$ 200	9,056	\$ 135.84	9,034	1,023,349	1,032,383	\$ 1,703.43	\$ 2,039.27
2E+06	SCHULTE DIRK AGENCY	DSB		\$ 200	5,483	\$ 82.25	5,749	355,028	360,777	\$ 595.28	\$ 877.53
2E+06	DSB TOWER LLC	DSB		\$ 200	2,831	\$ 42.47	2,956	106,827	109,783	\$ 181.14	\$ 423.61
2E+06	DSB TOWER LLC	DSB		\$ 200	2,797	\$ 41.96	2,546	102,920	105,466	\$ 174.02	\$ 415.97
2E+06	DSB TOWER LLC	DSB		\$ 200	1,862	\$ 27.93	1,971	70,448	72,419	\$ 119.49	\$ 347.42
2E+06	KSJ PROPERTIES LLC	DSB		\$ 200	6,083	\$ 91.25	5,749	539,651	545,400	\$ 899.91	\$ 1,191.16
2E+06	DSB TOWER LLC	DSB		\$ 200	1,914	\$ 28.71	1,889	117,395	119,284	\$ 196.82	\$ 425.53
2E+06	DSB TOWER LLC	DSB		\$ 200	2,153	\$ 32.30	2,135	68,805	70,940	\$ 117.05	\$ 349.35
2E+06	DSB TOWER LLC	DSB		\$ 200	2,491	\$ 37.37	2,464	79,578	82,042	\$ 135.37	\$ 372.73
2E+06	GILLEON RESERVATION LLC	DSB		\$ 200	5,618	\$ 84.27	5,749	271,828	277,577	\$ 458.00	\$ 742.27
2E+06	DSB TOWER LLC	DSB		\$ 200	12,641	\$ 189.62	16,836	516,318	533,154	\$ 879.70	\$ 1,269.32
2E+06	DSB TOWER LLC	DSB		\$ 200	7,023	\$ 105.35	11,087	281,880	292,967	\$ 483.40	\$ 788.74
2E+06	HANSERJAC LLC	JHC		\$ 200	3,525	\$ 52.88	5,142	215,658	220,800	\$ 364.32	\$ 617.20
2E+06	STSA PARTNERS LLC	FBC		\$ 200	8,455	\$ 126.83	45,664	179,340	225,004	\$ 371.26	\$ 698.08
2E+06	HICKS ENDEAVORS LLC	FBC		\$ 200	2,165	\$ 32.48	11,416	114,184	125,600	\$ 207.24	\$ 439.72
162350	H & H APARTMENTS LLC			\$ 200	7,500	\$ 112.50	48,375	405,425	453,800	\$ 748.77	\$ 1,061.27
162400	HELSETH & MYERS RENTALS			\$ 200	7,500	\$ 112.50	48,375	218,225	266,600	\$ 439.89	\$ 752.39
162450	SPECIAL OLYMPICS MONTANA INC			\$ 200	7,500	\$ 112.50	48,375	311,525	359,900	\$ 593.84	\$ 906.34
162500	JOSEPH SANTANA PROPERTIES LLC			\$ 200	29,969	\$ 449.54	99,000	615,590	714,590	\$ 1,179.07	\$ 1,828.61
162700	DUTT GORDON R & FRANCES S TRUST ETAL			\$ 200	7,500	\$ 112.50	48,375	203,625	252,000	\$ 415.80	\$ 728.30
162750	MTC LIFESTYLE LLC			\$ 200	7,500	\$ 112.50	48,375	140,000	188,375	\$ 310.82	\$ 623.32
162900	CITY BAR INC			\$ 200	22,477	\$ 337.16	82,125	321,740	403,865	\$ 666.38	\$ 1,203.53
162950	CITY BAR INC			\$ 200	7,500	\$ 112.50	48,375	82,720	131,095	\$ 216.31	\$

**PROPOSED EXPANSION OF GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
RESOLUTION #10446 - EXHIBIT "C"  
APPROXIMATE ASSESSMENTS FOR FISCAL YEAR 2022, TAX YEAR 2021  
March 15, 2022**

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	FLAT FEE	TOTAL SQ.FT.	SQ.FT. COST 0.015	MARKET VAL. LAND	MARKET VAL. IMPS.	VALUATION TOTAL	VALUATION COST 0.00165	TOTAL B.I.D. ANNUAL ASSESSMENT
163000	L & E DEVELOPMENT INC			\$ 200	7,500	\$ 112.50	48,375	8,100	56,475	\$ 93.18	\$ 405.68
188500	BIG SKY DEVELOPMENT ENTERPRISES INC			\$ 200	7,500	\$ 112.50	48,375	50,525	98,900	\$ 163.19	\$ 475.69
188550	BIG SKY DEVELOPMENT ENTERPRISES INC			\$ 200	7,500	\$ 112.50	48,375	8,150	56,525	\$ 93.27	\$ 405.77
188600	KERMITZ LLC			\$ 200	11,238	\$ 168.57	56,813	300,587	357,400	\$ 589.71	\$ 958.28
188650	LERAY PROPERTIES LLC			\$ 200	3,750	\$ 56.25	39,938	78,962	118,900	\$ 196.19	\$ 452.44
188700	ROBERTSON KIRBI KAE			\$ 200	1,780	\$ 26.70	35,550	69,050	104,600	\$ 172.59	\$ 399.29
188750	MY VIOLA PROPERTIES LLC			\$ 200	3,668	\$ 55.02	39,600	138,600	178,200	\$ 294.03	\$ 549.05
188800	KAPPHAN BRIAN R & LINDA S			\$ 200	352	\$ 5.28	36,225	45,310	81,535	\$ 134.53	\$ 339.81
188850	SHIMA DOUGLAS			\$ 200	3,750	\$ 56.25	39,938	32,850	72,788	\$ 120.10	\$ 376.35
188900	MTC LIFESTYLE LLC			\$ 200	11,250	\$ 168.75	56,813	11,920	68,733	\$ 113.41	\$ 482.16
189050	BIG SKY DEVELOPMENT ENTERPRISES INC			\$ 200	18,750	\$ 281.25	73,688	20,800	94,488	\$ 155.91	\$ 637.16
189075	BIG SKY DEVELOPEMENT ENT			\$ 200	33,739	\$ 506.09	107,438	1,121,462	1,228,900	\$ 2,027.69	\$ 2,733.77
<b>TOTALS</b>				<b>\$ 39,100</b>	<b>2,126,057</b>	<b>\$ 31,890.86</b>	<b>\$ 9,111,850</b>	<b>\$ 107,723,575</b>	<b>116,835,425</b>	<b>\$ 192,778.45</b>	<b>\$ 263,769.31</b>

**New Proporsed Parcels Resolution 10446**

## RESOLUTION 10446 - EXHIBIT “E”

March 16, 2022

Property Owner  
123 Anywhere Street  
Great Falls, MT 59404

Parcel No.: XXXXXX

### INTENT TO EXPAND GREAT FALLS BUSINESS IMPROVEMENT DISTRICT RESOLUTION NO. 10446

Dear Property Owner:

The Great Falls Business Improvement District is considering expanding its boundaries. After the return of ballots/petitions, 71.21% of the property owners within the proposed area to be expanded are in favor of the expansion. The proposed expansion will result in the District expanding its boundary to include the 700 block along the south side of 1<sup>st</sup> Avenue North, Central Avenue, and the north side of 1<sup>st</sup> Ave South.

If the City Commission adopts the proposed resolution, it would result in an **estimated** annual Business Improvement District assessment of \$xxx.xx, for your property. The total cost for being in the District will appear on your property tax bill beginning with the 2022/2023 assessment year.

Montana State Law requires sending individual notices of the intent to expand the district to each affected property owner in addition to the publication of the legal notice relating to the expansion and assessment of the district. The enclosed notice is scheduled to be published in the *Great Falls Tribune* on Sunday, March 20, 2022 and again on Sunday, March 27, 2022.

At any time within 15 days after the date of the first publication of the notice of the resolution of intent, any owner of property liable to be assessed for said work may make written protest against the expansion of the district. Such notice must be in writing, must list the property address and parcel number if known, must include signatures of all owners of the property, must indicate the resolution number being protested and may be mailed to City Clerk, PO Box 5021, Great Falls, MT 59403 or hand-delivered to the City Clerk, Civic Center Room 204, 2 Park Drive South, Great Falls, MT, who shall endorse thereon the date of its receipt.

Each protest shall be weighted in proportion to the amount of the assessment to be placed upon the lot or parcel of property. If the City Commission finds that such protests constitute a majority of the total assessments, the resolution will be denied. The City Commission shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive.

Re: Intent to Expand Resolution No.10446  
Page 2

You are invited to attend the public hearing for the expansion of the Great Falls Business Improvement District on April 19, 2022 at 7:00 o'clock p.m. in the Commission Chambers, Civic Center, 2 Park Drive South, Great Falls, MT.

If you have any questions regarding the creation of this district, please call me at 406-455-8477 or by email: [amccracken@greatfallsmt.net](mailto:amccracken@greatfallsmt.net).

Sincerely,

Andrea McCracken, Budget Analyst  
Taxes & Assessments

Enc: Legal Notice

**BID District Expansion Ballot 2022 - Ballot Turn-In**  
**More than 60% of the area in Proposed Expansion of the District**

Property Owner	Property Address	Parcel #	Total Sq. Ft.	Footprint %	Yes or No	Ballot Rec'd
				Per Sq.Ft.	or Abstain	
1 H & H APARTMENTS LLC	13 7th St N	162350	7,500	3.60%	Y	3.60%
2 HELSETH & MYERS RENTALS	704 1st Ave N	162400	7,500	3.60%	N	0.00%
3 SPECIAL OLYMPICS MONTANA INC	710 1st Ave N	162450	7,500	3.60%	Y	3.60%
4 JOSEPH SANTANA PROPERTIES LLC	726 1st Ave N	162500	29,969	14.39%		0.00%
5 DUTT GORDON R & FRANCES S TRUST ETAL	725 Central Ave	162700	7,500	3.60%		0.00%
6 MTC LIFESTYLE LLC	721 Central Ave	162750	7,500	3.60%	Y	3.60%
7 CITY BAR INC	709 Central Ave	162900	22,477	10.79%	Y	10.79%
8 CITY BAR INC	705 Central Ave	162950	7,500	3.60%	Y	3.60%
9 L & E DEVELOPMENT INC	701 Central Ave	163000	7,500	3.60%	Y	3.60%
10 BIG SKY DEVELOPMENT ENTERPRISES INC	700 Central Ave	188500	7,500	3.60%	Y	3.60%
11 BIG SKY DEVELOPMENT ENTERPRISES INC	704 Central Ave	188550	7,500	3.60%	Y	3.60%
12 KERMITZ LLC	708 Central Ave	188600	11,238	5.40%	N	0.00%
13 LERAY PROPERTIES LLC	714 Central Ave	188650	3,750	1.80%	Y	1.80%
14 ROBERTSON KIRBI KAE	718 Central Ave Ste 2	188700	1,780	0.85%	Y	0.85%
15 MY VIOLA PROPERTIES LLC	716 Central Ave	188750	3,668	1.76%	Y	1.76%
16 KAPPAN BRIAN R & LINDA S	718 Central Ave	188800	352	0.17%	Y	0.17%
17 SHIMA DOUGLAS	720 Central Ave	188850	3,750	1.80%		0.00%
18 MTC LIFESTYLE LLC	726 Central Ave	188900	11,250	5.40%	Y	5.40%
19 BIG SKY DEVELOPMENT ENTERPRISES INC	719 1st Ave S	189050	18,750	9.00%	Y	9.00%
20 BIG SKY DEVELOPEMENT ENT	17 7th St S	189075	33,739	16.20%	Y	16.20%
<b>TOTALS:</b>			<b>208,223</b>	<b>100.00%</b>		<b>71.21%</b>

No Ballots Received

Percentage of "No" Votes: 9.00%

Percentage of Missing Votes: 19.80%

**RESOLUTION 10446 - EXHIBIT “D”****NOTICE OF PUBLIC HEARING**

Notice is hereby given that on March 15<sup>th</sup>, 2022, the City Commission passed Resolution 10446 declaring the intent to expand the boundaries of the Business Improvement District (BID). The public hearing on Resolution 10447 to expand the boundaries of the BID will be brought before the Great Falls City Commission for public hearing in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, on Tuesday, April 19, 2022, at 7:00 o'clock p.m. Any interested person may appear and speak for or against said BID resolution of expansion or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

Documents pertaining to this agenda item are posted on the City's website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk's Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

/s/ Lisa Kunz  
City Clerk

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DO NOT PUBLISH BELOW THIS LINE:

Publication dates: March 20 and 27, 2022



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Ordinance 3235, “An Ordinance Amending Title 9 of the Official Code of the City of Great Falls (OCCGF) Pertaining to Social Hosts.”

**From:** Legal Department

**Initiated By:** Legal Department

**Presented By:** Jeff Hindoi, City Attorney

**Action Requested:** Accept Ordinance 3235 on first reading and set public hearing for April 5, 2022.

**Suggested Motion:**

1. Commissioner moves:  
  
“I move that the City Commission (accept / not accept) Ordinance 3235 on first reading and set the public hearing for April 5, 2022.”
2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

**Staff Recommendation:** Staff recommends that the Commission accept Ordinance 3235 on first reading and set a public hearing for April 5, 2022.

**Background:** The City Commission took action in September of 2009 to adopt Ordinance 3044 and enact a “Social Host” provision in the Official Code of the City of Great Falls (OCCGF) that created a criminal sanction for adults who are involved in organizing, facilitating or otherwise allowing events that involve the possession or consumption of alcohol by minors. That action by the Commission was based, in part, on the following findings:

**9.10.010 Purpose, findings.**

The Commission finds consumption of alcoholic beverages by minors at parties, or gatherings where minors consume alcoholic beverages, presents numerous problems for the City of Great Falls, Montana, minors, and law enforcement. Specifically:

- A. Alcohol abuse is linked to numerous other health and life issues for our youth, including, but certainly not limited to, sexual assault, unprotected sexual activity, teenage pregnancy, sexually transmitted diseases, physical assault, and academic difficulties.
- B. The Commission of the City of Great Falls, Montana, further finds and declares that the purpose of the ordinance is:

1. to protect public health, safety, and general welfare;
2. to enforce laws prohibiting the consumption of alcohol by minors;
3. to reduce the cost of providing police services to parties, gatherings, or events that call for a response by requiring that social hosts ensure minors are not consuming alcoholic beverages; and, under Montana Code Annotated §§ 7-1-4123 and 7-1-4124, the Great Falls City Commission has the legislative power, subject to the provisions of state law, to adopt, amend, and repeal ordinances and resolutions required to:
  - i. preserve the peace and order and secure freedom from dangerous and noxious activities; and,
  - ii. secure and promote the general public health and welfare.

The legalization of recreational marijuana in 2021 and the anticipated increase in its availability in the community has prompted a staff discussion regarding the potential need to amend the current Social Host ordinance to include marijuana and other substances. The proposed amendment to the existing Social Host ordinance will more closely align its structure with the current landscape where marijuana is – like alcohol – now a legal product for adult use and will provide a more effective enforcement tool in deterring underage parties where alcohol, marijuana or other illegal substances are being used.

**Fiscal Impact:** The adoption of the proposed Ordinance and the concomitant increase in the breadth of its scope may lead to the collection of additional fine revenues, but the amount of that increase cannot be readily estimated. However, the Social Host ordinance also provides in certain circumstances for a mandatory five (5) day jail sentence for a violation. Any convictions for a violation of the Social Host ordinance that trigger that particular sentencing requirement will require the expenditure of City general fund dollars for those incarceration expenses.

**Alternatives:** The Commission could choose to not adopt the proposed Ordinance and preserve the status quo. The Commission could also choose to table the item to a date certain to allow for possible amendments to the proposed Ordinance.

**Concurrences:**

City Manager's Office  
Great Falls Police Department

**Attachments/Exhibits:**

Ordinance 3235  
Ord. 3235 Exhibit "A"



## ORDINANCE 3235

### AN ORDINANCE AMENDING TITLE 9 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO SOCIAL HOSTS.

\* \* \* \* \*

**WHEREAS**, the City of Great Falls is authorized by its Charter and Montana law to establish laws to protect the health, safety and welfare of the citizens of Great Falls; and

**WHEREAS**, the City Commission has in the exercise of those powers previously established Title 9 of the OCCGF pertaining to minors' alcohol consumption at events, gatherings, activities or parties; and

**WHEREAS**, the City Commission wishes to expand social host liability to other forms of minors' illegal use or consumption of substances, such as marijuana; and

**WHEREAS**, for those reasons, the City Commission wishes to amend Title 9 of the OCCGF to address these issues.

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

Section 1. The provisions of OCCGF Title 9 are hereby amended as depicted by Exhibit "A" attached hereto and by reference incorporated herein with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

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

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading March 15, 2022.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading and public hearing April 5, 2022.

---

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

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

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeffrey M. Hindoien, City Attorney

State of Montana    )  
                              : ss  
County of Cascade    )

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 3235 on the Great Falls Civic Center posting board and the Great Falls City website.

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

(CITY SEAL)

## Ordinance 3235 Exhibit "A"

### Title 9 - PUBLIC PEACE, MORALS AND WELFARE Chapter 10 SOCIAL HOST

## Chapter 10 SOCIAL HOST

### Sections:

#### 9.10.010 Purpose, findings.

The Commission finds that consumption of alcoholic beverages, marijuana (as defined by Montana Code Annotated), marijuana-containing products or other impairing or intoxicating substances, by minors at parties, or gatherings where minors consume, use alcoholic beverages or ingest these substances, presents numerous problems for the City of Great Falls, Montana, minors, and law enforcement. Specifically:

- A. ~~Alcohol~~ Substance use and/or abuse is linked to numerous other health and life issues for our youth, including, but certainly not limited to, sexual assault, unprotected sexual activity, teenage pregnancy, sexually transmitted diseases, physical assault, and academic difficulties.
- B. The Commission of the City of Great Falls, Montana, further finds and declares that the purpose of the ordinance is:
  1. to protect public health, safety, and general welfare;
  2. to enforce laws prohibiting the consumption of prohibited substances ~~alcohol~~ by minors;
  3. to reduce the cost of providing police services to parties, gatherings, or events that call for a response by requiring that social hosts ensure minors are not consuming ~~alcoholic beverages~~ prohibited substances; and, under Montana Code Annotated §§ 7-1-4123 and 7-1-4124, the Great Falls City Commission has the legislative power, subject to the provisions of state law, to adopt, amend, and repeal ordinances and resolutions required to:
    - i. preserve the peace and order and secure freedom from dangerous and noxious activities; and,
    - ii. secure and promote the general public health and welfare.
- C. Further, MCA 7-32-4302 provides, in pertinent part, that the City of Great Falls has the power to prevent and punish intoxication, loud noises, disorderly conduct, and acts or conduct calculated to disturb the public peace or which are offensive to public morals within its limits.

(Ord. 3235, 2022; Ord. 3158, 2017; Ord. No. 3044, 2009)

#### 9.10.020 Definitions.

For the purposes of this Chapter the following definitions shall apply:

- A. "Alcohol" is defined by 9.4.010(A).
- B. "Alcoholic Beverage" is defined by 9.4.010(B).
- C. "Beer" means a malt alcoholic beverage meeting the definition provided in 9.4.010(D).
- D. "Gathering" means a party or event where a group of three (3) of more persons has assembled or is assembling for a social occasion or social activity.
- E. "Hard Cider" means an alcoholic beverage meeting the definition provided in 9.4.010(E).
- F. "Liquor" means an alcoholic beverage meeting the definition provided in 9.4.010(F).

- G. "Malt Beverage" means an alcoholic beverage meeting the definition provided in 9.4.010(C).
- H. "Wine" means an alcoholic beverage meeting the definition provided in 9.4.010(K).
- I. "City" means the area within the incorporated city boundaries of the City of Great Falls.
- J. "Person" means any individual, business association, partnership, corporation, or other legal entity and an individual acting or purporting to act for or on behalf of a joint-stock company, unincorporated association or society, corporation, or other entity of any character whatsoever as defined in MCA 45-2-101 and 27-8-104.
- K. "Premises" means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, hall or meeting room, park, pavilion, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party, gathering, or other social function, and whether owned, leased, rented, or used with or without permission or compensation.
- L. "Social Host" means any person who conducts, allows, organizes, supervises, controls, permits or aids another in conducting, allowing, organizing, supervising, controlling, or permitting a party, event, or gathering of any number of individuals. The term shall include, but is not limited to the following:
1. Any person or persons who own, rent, lease, or otherwise control the premises where an event, a gathering, activity, or party takes place;
  2. The person or persons in charge of or responsible for the premises; or
  3. The person or persons who organized the activity, event, gathering, or party.
    - i. The term shall not include a property owner, or parent, who does not have knowledge that the activity, event, gathering, or party, whether or not the activity, event, gathering, or party was permitted or allowed, would result in an underage person being in possession of or consuming ~~an alcoholic beverage~~ **a prohibited substance**.
- M. "Underage Person" means any person less than twenty-one (21) years of age.
- N. "Emergency Responders" means law enforcement officers, firefighters, emergency medical service personnel, and any other person having emergency response duties.
- O. "Enforcement Services or Response Costs" means the monetary cost of salaries and benefits of emergency responders for the amount of time spent responding to, or remaining at, a gathering, or other administrative costs attributable to the gathering; the costs for medical treatment for any injured emergency responder; and the costs of repairing any damage to emergency responder equipment or vehicles; and/or the cost of use of such equipment or vehicle.
- P. "Marijuana" has the meaning provided in MCA 16-12-102.**
- Q. "Prohibited Substance" means any alcohol, marijuana, marijuana-containing, or other intoxicating or impairing substance, which is consumed, ingested, smoked, or otherwise used by a minor in violation of Montana law.**
- R. "Consumed" or "consumption" means any form of use, including ingestion, smoking, injection, or other means of receiving the benefit of a prohibited substance.**

(Ord. 3235, 2022; Ord. 3158, 2017; Ord. No. 3044, 2009)

### **9.10.030 Prohibited acts.**

- A. A person violates this chapter when, as a social host, a person knows or reasonably should have known, that an underage person is in possession of, is consuming, or has consumed, ~~an alcoholic beverage~~ **a prohibited substance** on a premises within the City, and fails to take reasonable steps, including but not limited to,

notifying law enforcement to prevent the ~~alcohol~~ **prohibited substance** consumption or possession by the underage person. The social host does not have to be present or on the premises at the time the prohibited act occurs.

- B. Nothing in this chapter shall be construed to supersede the prohibitions or exceptions set forth in 16-6-305, MCA.

(Ord. 3235, 2022; Ord. 3158, 2017; Ord. No. 3044, 2009)

#### 9.10.040 Penalties.

- A. A person convicted of violating this Chapter shall be guilty of a criminal misdemeanor punishable by:
  1. A fine not less than two hundred fifty dollars (\$250.00) or more than five hundred dollars (\$500.00), plus court costs.
  2. A second or subsequent offense lifetime, shall be punishable by a fine not less than five hundred dollars (\$500.00), plus court costs, and imprisonment for a period of not more than six (6) months.
  3. If at the time of the offense one (1) or more underage persons found to have been in possession of or consumed ~~an alcoholic beverage~~ **a prohibited substance** was sixteen (16) years of age or younger, the conviction shall be punishable by imprisonment of not less than five (5) days and not more than six (6) months, which may not be served on home arrest.
- B. Notwithstanding the penalties listed above, a person convicted of violating this Chapter shall be responsible for reimbursing the cost of enforcement services, or the response costs to the agencies furnishing emergency responders. Any claims for restitution, including, but not limited to, those for enforcement services or response costs, must be filed with the Court within ninety (90) days of a conviction under this chapter.
- C. Prosecution and any sentence for a violation of this Chapter may not be deferred.

(Ord. 3235, 2022; Ord. 3158, 2017; 3044, 2009)



Commission Meeting Date: March 15, 2022

**CITY OF GREAT FALLS  
COMMISSION AGENDA REPORT**

**Item:** Ordinance 3242 – An Ordinance by the City Commission of the City of Great Falls to rezone ±12.21 acres of proposed Lot 2 of Amended Plat of Lot 1, Block 2, of the Amended Plat of Lot 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, located in the SW ¼ of Section 17, T20N, R4E, P.M., Cascade County, Montana from PLI, Public Lands and Institutional to M-1. Mixed-use District.

**From:** Brad Eatherly, Planner II, Planning and Community Development

**Initiated By:** Touro College Montana, LLC

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

**Action Requested:** City Commission accept Ordinance 3242 on first reading and set a public hearing for April 5, 2022.

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3242 on first reading and set a public hearing for April 5, 2022.”

2. 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 22, 2022, the Zoning Commission recommended that the City Commission approve the applicant’s rezoning petition. Additionally, the Planning Board recommended the City Commission approve the applicant’s request for a minor subdivision of the subject property. Additionally, staff recommends approval of both the Subsequent Minor Subdivision and Zoning Map Amendment of the subject property with the following conditions:

**Conditions of Approval:**

**1. General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.

**2. Amended Plat.** Provide a revised Amended Plat of the subject properties 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. The applicant is also required to dedicate easements for utilities to the satisfaction of the City’s Public Works Department. The applicant is also required to dedicate an easement for a 20-foot

wide trail easement. Said easements must be submitted to the City Commission for approval at the same time as the minor subdivision.

**3. Land Use & Zoning.** The development standards and land uses for the subject properties shall be consistent with the OCCGF.

**4. Subsequent modifications and additions.** If after establishment of the zoning, 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. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

**Background:**

The Applicant, Touro College Montana, LLC, is part of a larger system of colleges and universities based out of New York City. The Touro System of Colleges and Universities, established in 1970, now serves a widely diverse population of over 19,000 students across 35 schools in 4 countries. Recently, Touro began to look into developing a medical school in Montana. After choosing Great Falls as the location, discussions with the City took place as plans began to form. After several months of discussion and partnership, the City issued a building permit for the Touro Medical College on November 8, 2021. While the Touro Medical College is under construction, Touro plans to subdivide the approximately 19.33 acres into three separate lots. The current location of the school is to exist on the proposed Lot 1A, consisting of 5.12 acres. This includes all site work including, landscaping, parking, and stormwater ponds. The proposed use for Lot 2 is for a separate, private developer to utilize approximately 12.21 acres for the construction of eight (8) apartment buildings containing 36 units each for a total of 288 housing units. This development will also include on-site parking, a club house, a pool, and two dog parks. These privately-owned and managed apartments will not be *de facto* dormitories for the Touro Medical College. Therefore they will be available to the public, but with an emphasis on housing students. The proposed Montana State University (MSU) Nursing School is scheduled to be built upon Lot 3 at an unknown future date, consisting of 2.00 acres.

**Minor Subdivision Request:**

The applicant is requesting a subsequent minor subdivision. This means that the subject property had previously been subdivided in the past. A minor subdivision does not typically require a public hearing, but when a subsequent minor subdivision is requested, a public hearing must be held in front of the Planning Board/Zoning Commission. While the request is required to go before the City Commission, it is not required to be a public hearing. However, because this request is paired with the zoning map amendment request, both will be held in a public hearing format in front of the City Commission. The total area of the subject property as it stands is approximately 19.33 acres in size. The Touro Medical College, which is currently under construction, will be on the proposed Lot 1A. This lot will be approximately 5.12 acres. The proposed Lot 2, on which the privately developed apartment complex will be constructed, will consist of approximately 12.21 acres. The proposed Lot 3 will be 2.00 acres in size. All three of these lots meet the dimensional standards as set forth in the Official Code of the City of Great Falls (OCCGF) in Exhibit 20-4 of Title 17. Part of the subdivision will include a 20-foot trail easement which will be shown on the final plat running east-west from the northeast corner to the northwest corner of the subject property. The developers of the apartment complex have agreed to install a paved trail in this location. This trail will connect to an existing trail to the east of 29<sup>th</sup> Street South. The addition of this trail will continue to further the trail system in the City and will bring the City one step closer to

connecting Russell Park to Sand Hills Park. It will also bring the city one step closer to connecting a portion of the medical district to the University of Providence and Montana State University – Great Falls.

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.

### **Zoning Map Amendment Request:**

The current zoning for the subject property, without having been subdivided, is PLI, Public Lands and Institutional. This zoning district allows for a land use of Education Facility (higher education), which would allow for both the Touro Medical College and the MSU Nursing School to be permitted by right. If Touro were building dormitories specifically for housing medical school students, there would be no need to rezone a portion of the subject property. Touro decided to not build dormitories, and instead is willing to have a private developer construct the apartment complex, which will add much needed housing units to the area. The proposed apartment complex is not permitted in the PLI zoning district. However, the M-1 zoning district, which abuts the proposed Lot 2 to the north and west, does allow for the proposed apartment complex, with a land use of Multi-family residence, to be permitted by right. Therefore, the applicant is requesting a rezone from the PLI to the M-1.

The basis for a decision on zoning map amendments, i.e. rezoning or zone changes, is listed in the Official Code of the City of Great Falls (OCCGF) §17.16.40.030. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact/Basis of Decision – Zoning Map Amendment. The attached Findings of Fact are included as an attachment to this report.

### **Transportation Impacts:**

The proposed uses for each of the proposed three lots will noticeably increase traffic to the area. Considering that the subject property has been vacant for some time, any proposed use would increase traffic volumes. A road network is already established and circulation to neighboring streets is adequate to handle increased traffic. No new roadways can be built in the location of the subject property. In consideration of these facts, staff has determined that a traffic impact analysis will not be needed for these projects.

### **Neighborhood Council Input:**

On February 21, 2022, a presentation was made to Neighborhood Council #5. The Council voted unanimously to recommend the City Commission approve both the applicant's minor subdivision request and rezone request.

### **Concurrences:**

Representatives from the City's Public Works Department and Fire Department have been involved in the review process for these applications.

### **Fiscal Impact:**

The construction of the apartment complex, which will be allowed through subdivision and subsequent rezoning, will increase the tax base for the City by providing 288 new apartment units.



**Alternatives:**

The City Commission could deny acceptance of Ordinance 3242 on first reading and not set the public hearing. Due process normally requires that the City Commission schedule requested public hearings to hear requests of this type.

**Attachments/Exhibits:**

Ordinance 3242

Ordinance 3242 – Exhibit A

Findings of Fact – Subdivision

Findings of Fact – Zoning Map Amendment

Applicant Narrative

Aerial Map

Zoning Map

Draft of Amended Plat

Proposed Site Plan for Separate Lots

## ORDINANCE 3242

**AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO REZONE THE PROPERTIES LEGALLY DESCRIBED AS: LOT 2 OF AN AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A &1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, LOCATED IN THE SW ¼ OF SECTOIN 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M., CASCADE COUNTY, MONTANA FROM PLI PUBLIC LANDS AND INSTITUTIONAL TO M-1 MIXED-USE DISTRICT**

\* \* \* \* \*

**WHEREAS**, the subject property, legally described above, is presently zoned PLI Public Lands and Institutional; and

**WHEREAS**, the property owner, Touro College Montana, LLC, has petitioned the City of Great Falls to rezone said property to M-1 Mixed-use District zoning district; and

**WHEREAS**, the Great Falls Zoning Commission conducted a public hearing on February 22, 2022, to consider said rezoning from PLI Public Lands and Institutional to M-1 Mixed-use District and, at the conclusion of said hearing, passed a motion recommending the City Commission rezone the property legally described as Lot 2 of Amended Plat of Lot 1, Block 2, of the Amended Plat of Lot 1A &1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, located in the SW ¼ of Section 17, T20N, R4E, P.M., Cascade County, Montana; and

**WHEREAS**, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 5th day of April, 2022, before final passage of said Ordinance herein; and

**WHEREAS**, following said public hearing, it was found and decided that the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.40.030, and that the said rezoning designation be made.

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

Section 1. It is determined that the herein requested rezoning meets the criteria and guidelines cited in Mont. Code Ann §76-2-304, and Section 17.16.40.030 of the OCCGF.

Section 2. That the property legally described as: Lot 2 of Amended Plat of Lot 1, Block 2, of the Amended Plat of Lot 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, located in the SW ¼ of Section 17, T20N, R4E, P.M., Cascade County, Montana, be rezoned to M-1 Mixed-use District as shown in Exhibit A.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading March 15, 2022.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading April 5, 2022.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

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

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Jeffrey Hindoien, 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 3242 on the Great Falls Civic Center posting board and the Great Falls City website.

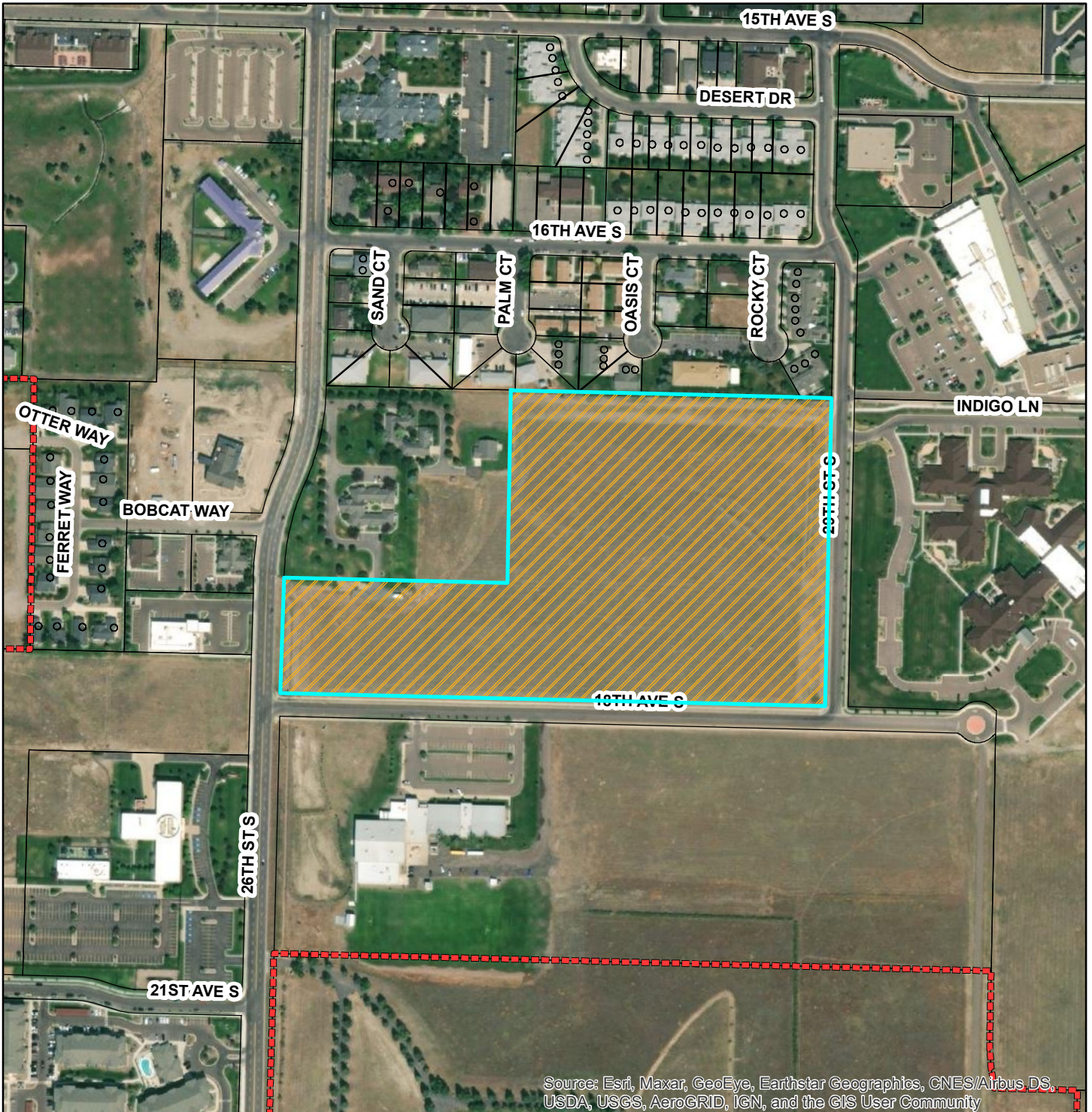
(CITY SEAL)

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Lisa Kunz, City Clerk

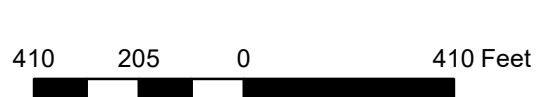


# EXHIBIT A



 Subject Property

 City Limits





## **FINDINGS OF FACT/BASIS OF DECISION – MONTANA SUBDIVISION AND PLATTING ACT**

An Amended Plat of Lot 1, Block 2 of the Amended Plat of Lot 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision located in the SW ¼ of Section 17, Township 20 North, Range 4 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 along 26<sup>th</sup> Street South, 18<sup>th</sup> Avenue South, and 29<sup>th</sup> Street South, which is located in city limits. The owner is currently constructing a medical school on one lot. An apartment complex featuring 8 buildings with 36 units each for a total of 288 units is proposed to be constructed on the second lot. The proposed Lot 3 will eventually be the site of the Montana State University Nursing School. The project site is surrounded by existing residential development on the north, commercial medical uses to the east and west, and a private Catholic school to the south. 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 utility mains at the time of development. The Owner will pay the cost of the service lines from these utility mains. The owner of Lot 2 will be required to extend water and sewer mains in order to serve the proposed development. The owners of the three 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:** 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 after being held onsite in detention ponds for each lot.

**Effect on Wildlife and Wildlife Habitat:** The subdivision is surrounded by existing residential development, medical and educational 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. All of the proposed lots will have public street access and City utility service.

### **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 and storm water easements on the final recorded plat to services for all lots of the subdivision. The preliminary plat displays these proposed easements.

**CONNECTIVITY AND TRAIL EASEMENT**

The applicant shall provide a 20-foot wide trail easement along the north edge of the property line as well as provide connectivity throughout the three lots. Vehicular access to Lot 1A will be off 18<sup>th</sup> Avenue South. The proposed access to Lot 2 will be off both 18<sup>th</sup> Avenue South and 29<sup>th</sup> Street South. Lot 3 is proposed to be accessed by 29<sup>th</sup> Street South.



## Findings of Fact – Zoning Map Amendment

Lot 2 of An Amended Plat of Lot 1, Block 2 of the Amended Plat of Lot 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, Located in the SW ¼ of Section 17, T20N, R4E, P.M., Cascade County, Montana.

### Primary Review Criteria:

The basis for decision on zoning map amendments is listed in the Official Code of the City of Great Falls (OCCGF) §17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of the City Commission shall at a minimum consider the following criteria:

#### 1. The Amendment is consistent with and furthers the intent of the City's growth policy.

The proposed zoning map amendment is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. The proposal to amend the zoning of the proposed property from PLI, Public Lands and Institutional to M-1, Mixed-use District will allow the applicant to construct an apartment complex that will serve not only the potential students of the Touro Medical College and the proposed Montana State University Nursing School, but also the general public as well. A land use of Multi-family residential is not allowed in the PLI zoning district, whereas that same land use is permitted by right in the M-1 zoning district. This will allow 288 apartment units to be built at a time when the City of Great Falls is in need of additional housing units.

As noted in the agenda report, the Zoning Commission must consider whether there is policy rationale for amending the zoning map as requested. Staff believes that the City's Growth Policy supports the proposed zoning map amendment to facilitate more dense development, particularly to provide much needed housing. The zoning amendment request is consistent with several of the Plan's policies including:

#### Social - Housing

- Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the City.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location, and place of work.

#### Environmental - Urban Form

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

#### Physical – Land Use

- Phys4.1.5 Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure.

## Physical - Zoning

Phy4.2.1 Development density and intensity should be oriented toward areas of the City most capable of supporting it. General locations meeting this criteria include:

- Activity Centers, as identified in the City's Transportation Plan
- Major intersections and road corridors
- Downtown
- Tax Increment Finance Districts (TIFs)
- Areas with adequate or excess infrastructure capacity
- Locations with adequate community facilities

The proposed zoning map amendment will enable these policies to be addressed and further the implementation of the Growth Policy.

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

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject property is located in Neighborhood Council #5. The applicant has provided Council #5 with all pertinent information. Notice of the proposed zoning map amendment was also sent to adjoining property owners pursuant to the noticing requirements of the OCCGF. City staff has not received any comments on the proposed zoning map amendment from either notified owners or Council #5.

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

The zoning map amendment request is consistent with the Great Falls Medical District Master Plan. There are three aspects of the Plan that are consistent with the zoning map amendment:

- Increasing the size of the "Mixed-use" district
- Private sector commercial and lodging development
- Connectivity within district by use of a trail system

By changing the zoning from PLI to M-1, the subject property would further incorporate goals and objectives stated in the Medical District Master Plan such as increasing housing and providing, and expanding upon, an important trail system.

### **4. The code with the amendment is internally consistent.**

The proposed zoning map amendment is not in conflict with any portion of the existing City Code. The subject property will be contiguous to properties in the M-1 zone to the north and west. All pertinent codes required for development of the subject property will be addressed during the building permit review. As a result, the proposed zoning map amendment is internally consistent and will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood.

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

There are no existing public health, safety, or welfare issues that have been identified for this property. The future apartment building project will require water and sewer to be extended from the mains that surround the property. Adequate storm water designs will be incorporated into the site as development occurs.

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

The City has the financial and staffing capability to enforce the amendment if it is approved. The zoning map amendment will affect the subject property only, owned by the applicant, and the property will be developed in a manner consistent with Title 17 of the Official Code of the City of Great Falls.



TO: Brad Eatherly & David Grosse, City of Great Falls Planning & Community Development

FROM: Dom Goble, PE & Jordyn Mallet, PE

DATE: ~~January 7, 2022~~ Revised January 14, 2022

JOB NO.: 10027.001

RE: Touro Minor Subdivision

CC: Chuck Davis, PE & Craig Nowak, PE

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ For Your Use

## Introduction

Touro College & University System is proposing to subdivide the existing 19.327-acre lot at 2101 26th Street S in Great Falls into 3 individual lots for a medical school, future student housing apartments, and future MSU nursing school. The minor subdivision process will be reviewed by the City of Great Falls. The current lot is zoned as PLI - Public Lands Institutional, which does not allow for the permitted use of multi-family residence. A Zoning Map Amendment to a M-1 Mixed Use will be needed to allow for the development of future student housing apartment(s). This memorandum describes the proposed minor subdivision and the zoning map amendment.

## Minor Subdivision

The proposed minor subdivision will be subdivided into three individual lots. The lots include a 5.115-acre lot for the medical school, 12.212-acre lot for the future student housing apartments, and 2.000-acre lot for the future MSU nursing school. Each lot will meet the development criteria for the M-1 Mixed Use zone.

The proposed future student housing apartments includes eight apartment buildings with 36 housing units in each building for a total of 288 housing units. Also included will be on-site parking, a club house, a pool, and dog parks. The proposed MSU Nursing School will include ten classrooms for instruction of 150 students. On-site parking will also be included.

## Zoning Map Amendment

The existing Lot is currently zoned as PLI - Public Lands Institutional. The proposed multi-family residence on Lot 2 is not a permitted or conditional use within the PLI zoning. A zoning map amendment to a M-1 Mixed Use zoning, similar to the adjacent lots to the north, is proposed for Lot 2 to allow the future student housing apartments.

## Touro Minor Subdivision

### Utility Infrastructure

The City of Great Falls water distribution system, wastewater collection system, and stormwater collection system will service the proposed subdivision with existing piping in the streets (public right-of-way) or a utility easement fronting each of the three proposed lots. Applicable information pertaining to each utility system is provided below.

### Water Distribution System

Water service will be provided from existing City water distribution mains including a 12-inch main in 18<sup>th</sup> Avenue South and an 8-inch main in 29<sup>th</sup> Street South as shown on Exhibit A. The medical school will be served from the 12-inch main in 18<sup>th</sup> Avenue South. The student housing apartments will be served from the 12-inch main and/or the 8-inch main, dependent upon apartment building layout on the lot. The MSU nursing school will be served from the 8-inch main. Water demand information for the facilities on each lot is summarized and provided hereinafter.

#### Medical School

Water demand data was provided in a recent report submitted to the City for the medical school design. Said report, dated October 4, 2021, is termed *Touro College of Osteopathic Medicine, Touro Medical School, Civil Design Report*. This report shows average daily demand estimated at 155 gpm with the peak demand estimated at 637 gpm, per the facility's plumbing designer. Fire suppression demand is reported to be 1688 gpm.

Fire flow information will be provided upon acquisition of additional information.

#### Apartments

Available apartment information is that the complex will consist of eight buildings with 36 units in each building, for a total of 288 housing units (HU). Water demand will also include service to the clubhouse. With this as a basis, the following assumptions and calculations are presented to estimate water demands.

#### Residential Demand

100 gallons per capita per day

2.5 people per HU

Population = (2.5 people/HU) x (288 HUs) = 720 people

250 gpd per HU

Average Daily Demand = (250 gpd/HU) x (288 HUs) = 72,000 gpd = 50 gpm

Maximum Daily Demand = (3.5) x (Average Daily Demand) = 3.5 x 50 gpm = 175 gpm

Peak Hourly Demand = 3.0 gpm/HU

= (3.0 gpm/HU) x (288 HU) = 864 gpm

## Touro Minor Subdivision

### Clubhouse Demand

- Assumptions:
- 1) Four clubhouse employees
  - 2) Half of residents use clubhouse per day ( $0.5 \times 720 = 360$  users)
  - 3) 13 gpd/employee
  - 4) 3 gpd/user

$$\text{Average Daily Demand} = (13 \text{ gpd/emp.} \times 4 \text{ emp.}) + (3 \text{ gpd/user} \times 360 \text{ users})$$

$$\text{Average Daily Demand} = 52 + 1080 = 1132 \text{ gpd}$$

$$\text{Maximum Daily Demand} = 3.5 \times \text{Average Daily Demand}$$

$$\text{Maximum Daily Demand} = 3.5 \times 1132 = 3962 \text{ gpd}/2.75 \text{ gpm}$$

### Total Apartment Demand (Residential + Clubhouse)

$$\text{Average Daily Demand} = 72,000 + 1132 = \mathbf{73,132 \text{ gpd. Say } 73,100 \text{ gpd}/50.8 \text{ gpm}}$$

$$\text{Maximum Daily Demand} = 175 + 2.75 = \mathbf{177.75 \text{ gpm. Say } 178 \text{ gpm}}$$

Fire flow information will be provided upon acquisition of additional information.

### MSU Nursing School

Available information is that the nursing school will be sized for 120 students, which is the basis for daily water demand. Available information is that the facility will be 22,000 sq. ft. in size, with which some general assumptions and engineering experience were relied on to determine a plumbing fixture count. This fixture count and plumbing codes were then used to estimate water demand for pipe size; this water demand is essentially the peak water demand. With this as a basis, the following assumptions and calculations are presented to estimate water demands.

$$\text{Average Daily Flow} - \text{day school with cafeteria} = 15 \text{ gpd/student}$$

$$\text{Average Daily Flow} = (15 \text{ gpd/student}) \times 120 \text{ students} = 1800 \text{ gpd}$$

Peak Flow based on assumed plumbing fixture count

$$\text{Peak Flow} = 130 \text{ gpm}$$

Fire flow information will be provided upon acquisition of additional information.

## Touro Minor Subdivision

### Wastewater Collection System

Sanitary sewer service will be provided from existing City collection mains including a main parallel to and on the east side of 26<sup>th</sup> Street South, a 12-inch main in 17<sup>th</sup> Avenue South, and an 8-inch main in 18<sup>th</sup> Avenue South as shown on Exhibit A. The medical school will be served by the main parallel to and on the east side of 26<sup>th</sup> Street South and the MSU nursing school will be served by the 12-inch main in 17<sup>th</sup> Avenue South. The student housing apartments will be served from the 12-inch main in 17<sup>th</sup> Avenue South and/or the 8-inch main in 18<sup>th</sup> Avenue South, dependent upon apartment layout on the lot. Wastewater flow information for the facilities on each of the three lots is summarized and provided hereinafter.

#### Medical School

Wastewater (sanitary sewer) flow data was provided in a recent report submitted to the City for the medical school design. Said report, dated October 4, 2021, is termed *Touro College of Osteopathic Medicine, Touro Medical School, Civil Design Report*. This report shows the peak flow estimated at 296 gpm, per the facility's plumbing designer.

#### Apartments

Available apartment information is that the complex will consist of eight buildings with 36 units in each building, for a total of 288 housing units (HU). Wastewater flows will also be generated with service to the clubhouse. With this as a basis, the following assumptions and calculations are presented to estimate wastewater flows.

#### Residential Flows

100 gallons per capita per day

2.5 people per HU

Population = (2.5 people/HU) x (288 HUs) = 720 people

250 gpd per HU

Average Daily Flow = (250 gpd/HU) x (288 HUs) = 72,000 gpd = 50 gpm

Peaking Factor =  $(18 + (\text{Pop.}/1000)^{1/2}) / (4 + (\text{Pop.}/1000)^{1/2})$

$= (18 + (720/1000)^{1/2}) / (4 + (720/1000)^{1/2}) = 3.89$

Peak Flow = (Average Daily Flow) x (3.89)

$= 72,000 \text{ gpd} \times 3.89 = 280,080 \text{ gpd} = 194 \text{ gpm}$

#### Clubhouse Demand

Assumptions: 1) Four clubhouse employees

2) Half of residents use clubhouse per day ( $0.5 \times 720 = 360$  users)

3) 13 gpd/employee

4) 3 gpd/user

## Touro Minor Subdivision

Average Daily Flow = (13 gpd/emp. x 4 emp.) + (3 gpd/user x 360 users)

Average Daily Flow = 52 + 1080 = 1132 gpd

Peak Flow = 3.89 x Average Daily Flow

Peak Flow = 3.89 x 1132 = 4403 gpd/3.06 gpm

### Total Apartment Demand (Residential + Clubhouse)

Average Daily Flow = 72,000 + 1132 = 73,132 gpd. Say 73,100 gpd/50.8 gpm

Peak Flow = 194 + 3.06 = 197.06 gpm. Say 197 gpm

## MSU Nursing School

Available information is that the nursing school will be sized for 120 students, which is the basis for daily sanitary sewer flows. It is assumed that there will be 30 staff members including instructors, administrative staff, and kitchen staff for a total *population* of 150, which is the basis for calculating the peaking factor. With this as a basis, the following assumptions and calculations are presented to estimate wastewater flows.

Average Daily Flow – day school with cafeteria = 15 gpd/student

Average Daily Flow = (15 gpd/student) x 120 students = 1800 gpd = 1.25 gpm

Peak Flow based on: 1) 18-hour day and 2) 150 people

1.25 gpm over 24 hrs. =  $1.25 \times (24/18) = 1.67$  gpm over 18 hrs.

Peak Flow = 4.19 x 1.67 gpm = 7.0 gpm. Say 8 gpm (to be conservative)

## **Stormwater Management**

A revised drainage report was prepared for the western lot for the medical school on October 28, 2021. Stormwater runoff from the medical school collects in two proposed detention facilities. One detention facility is proposed in the northeast corner of the lot and the second detention facility is proposed in the western portion of the lot. The detention facilities connect to the City of Great Falls stormwater system through 12-inch pipe. The detention facilities include 24-inch riser structures and orifices to restrict the flow at a rate no greater than the 5-year, 2-hour storm event flow. The revised drainage report is included with this memorandum.

Similar stormwater management facilities will be proposed for the future residential apartments and MSU nursing school lots. Detention facilities will be designed to collect stormwater runoff from impervious surfaces. Stormwater outflow from the detention facilities will be restricted to the 5-year, 2-hour storm event and will be conveyed to the existing City of Great Falls storm collection system. Preliminary stormwater estimates for the future student housing apartments and MSU nursing school lots based on conceptual plans are shown below. Final drainage reports will be prepared for the lots after final plans are completed.



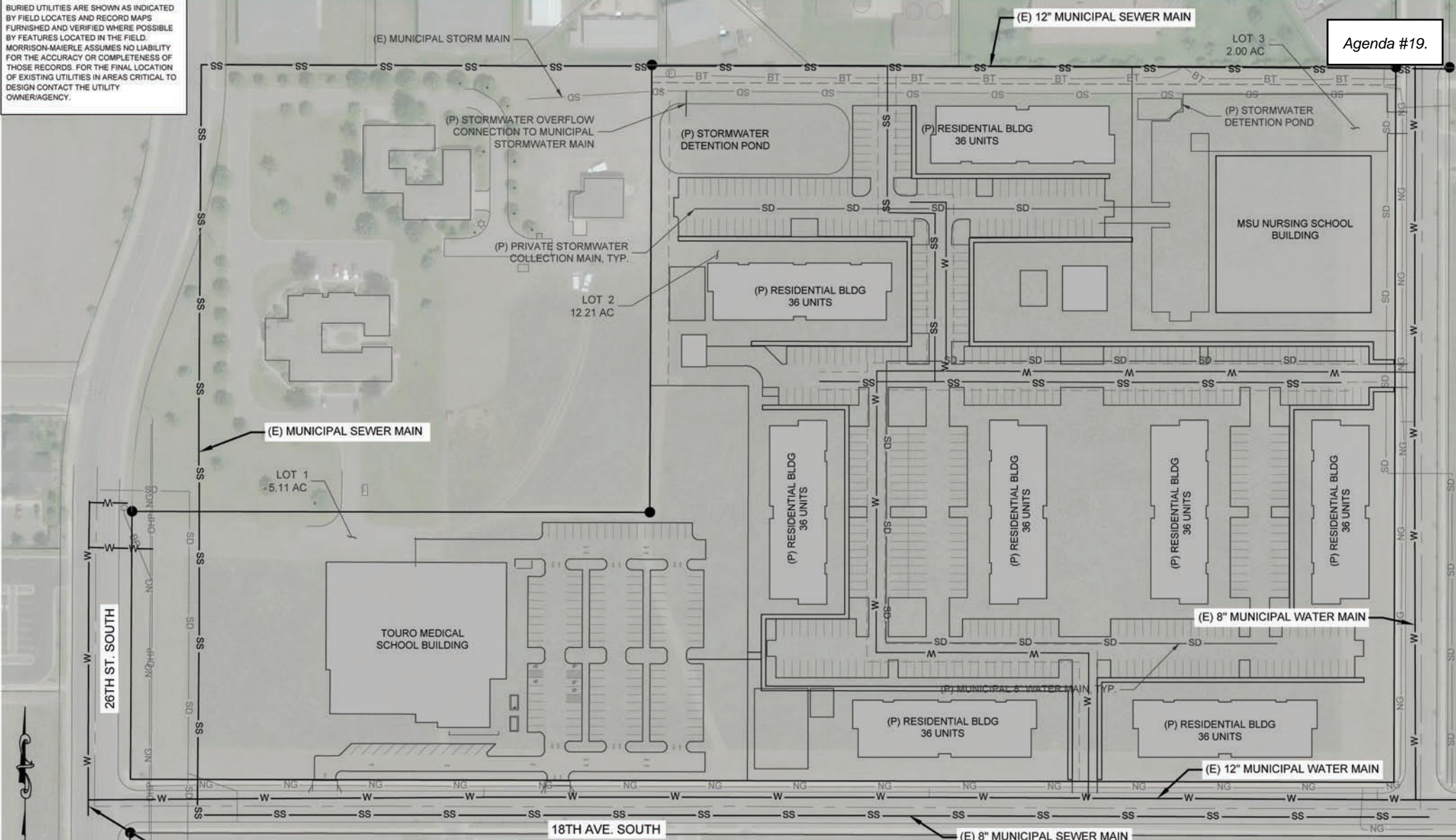
## Touro Minor Subdivision

Proposed Surface Area Coverage					
Lot		Total Area (Acres)	Impervious Area (Acres)	Pervious Area (Acres)	Max Allowed Percent Impervious
Student Housing Apartment		12.212	6.251	5.961	51.2%
MSU Nursing Building		2.0	1.4	0.6	70%
Stormwater Runoff – Student Housing					
Storm Event	Runoff Coefficient (C)	Frequency Factor (Cf)	Rainfall Intensity (i) (in)	Area (A) (ac)	Volume (Q) (cf)
2-year, 2-hour	0.59	1.00	0.72	12.212	18,831
5-year, 2-hour	0.59	1.00	0.98	12.212	25,631
10-year, 2-hour	0.59	1.00	1.18	12.212	30,862
25-year, 2-hour	0.59	1.10	1.46	12.212	42,004
50-year, 2-hour	0.59	1.20	1.62	12.212	50,844
100-year, 2-hour	0.59	1.25	1.90	12.212	62,116
Stormwater Runoff – MSU Nursing School					
Storm Event	Runoff Coefficient (C)	Frequency Factor (Cf)	Rainfall Intensity (i) (in)	Area (A) (ac)	Volume (Q) (cf)
2-year, 2-hour	0.65	1.00	0.72	2.000	3,398
5-year, 2-hour	0.65	1.00	0.98	2.000	4,625
10-year, 2-hour	0.65	1.00	1.18	2.000	5,568
25-year, 2-hour	0.65	1.10	1.46	2.000	7,579
50-year, 2-hour	0.65	1.20	1.62	2.000	9,174
100-year, 2-hour	0.65	1.25	1.90	2.000	11,208

The rational method ( $Q = C \cdot Cf \cdot i \cdot A$ ) was used for the individual lots per the City of Great Falls Storm Drainage Design Manual for a minor subdivision. Frequency factors were applied to infrequent storm events. The rainfall intensities were determined by the IDF curves at a 2-hour storm duration found in the City of Great Storm Drainage Design Manual.

BURIED UTILITIES ARE SHOWN AS INDICATED BY FIELD LOCATES AND RECORD MAPS FURNISHED AND VERIFIED WHERE POSSIBLE BY FEATURES LOCATED IN THE FIELD. MORRISON-MAIERLE ASSUMES NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THOSE RECORDS. FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO DESIGN CONTACT THE UTILITY OWNER/AGENCY.

Agenda #19.



SCALE IN FEET

Morrison  
Maierle  
engineers • surveyors • planners • scientists

1321 9th Avenue North, Suite 104  
Great Falls, MT 59401  
406.454.1513  
www.m-m.net

DRAWN BY: JEM  
DSGN. BY: \_\_\_\_\_  
APPR. BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

GREAT FALLS

TOURO MINOR SUBDIVISION

EXHIBIT A  
EXISTING WATER AND SANITARY SEWER

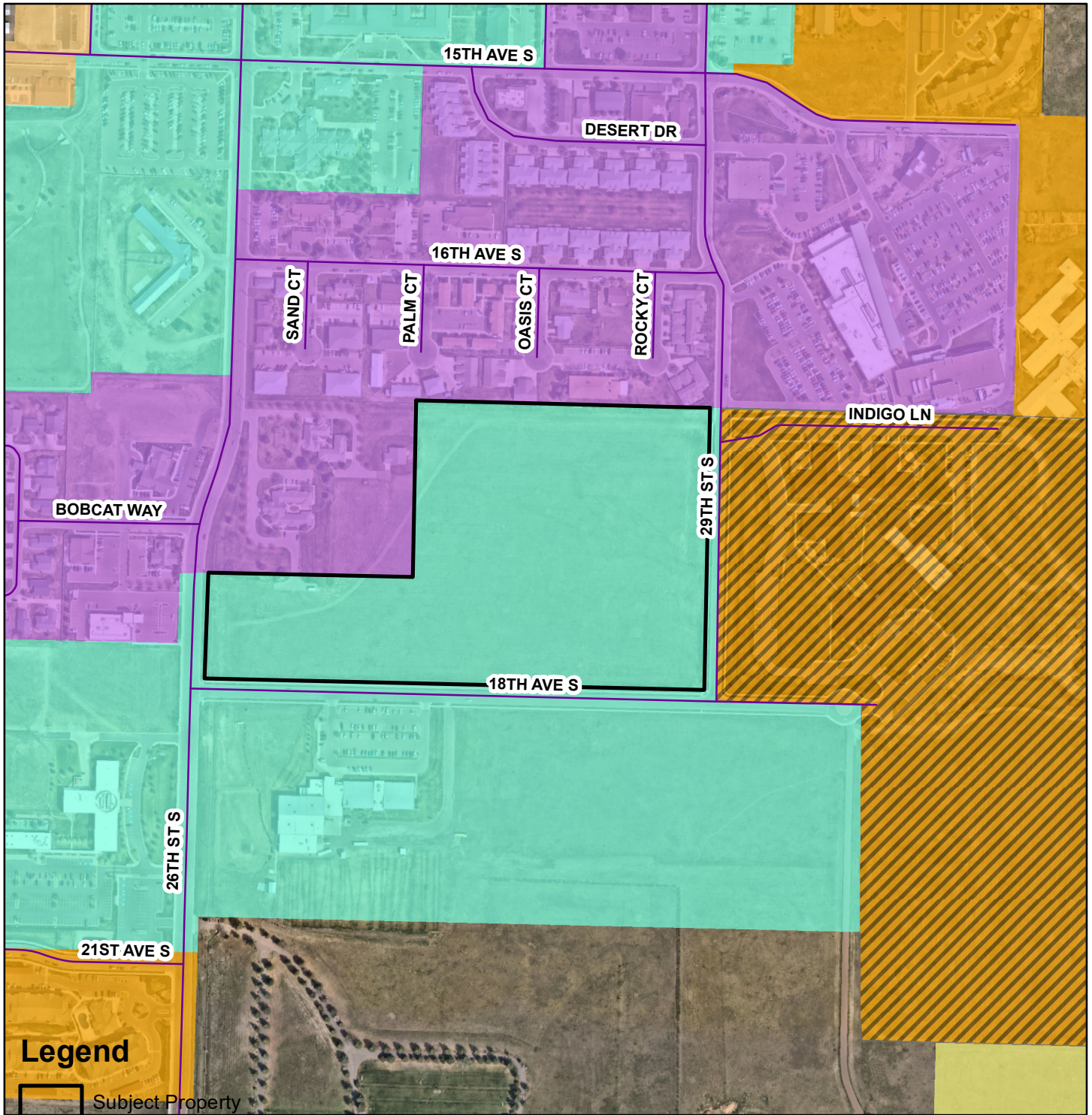
156

FIGURE NUMBER  
A



# ZONING MAP

Agenda #19.



450 225 0 450 Feet

N



MINOR SUBDIVISION OF LOT 1, BLOCK 2 OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1,  
OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION

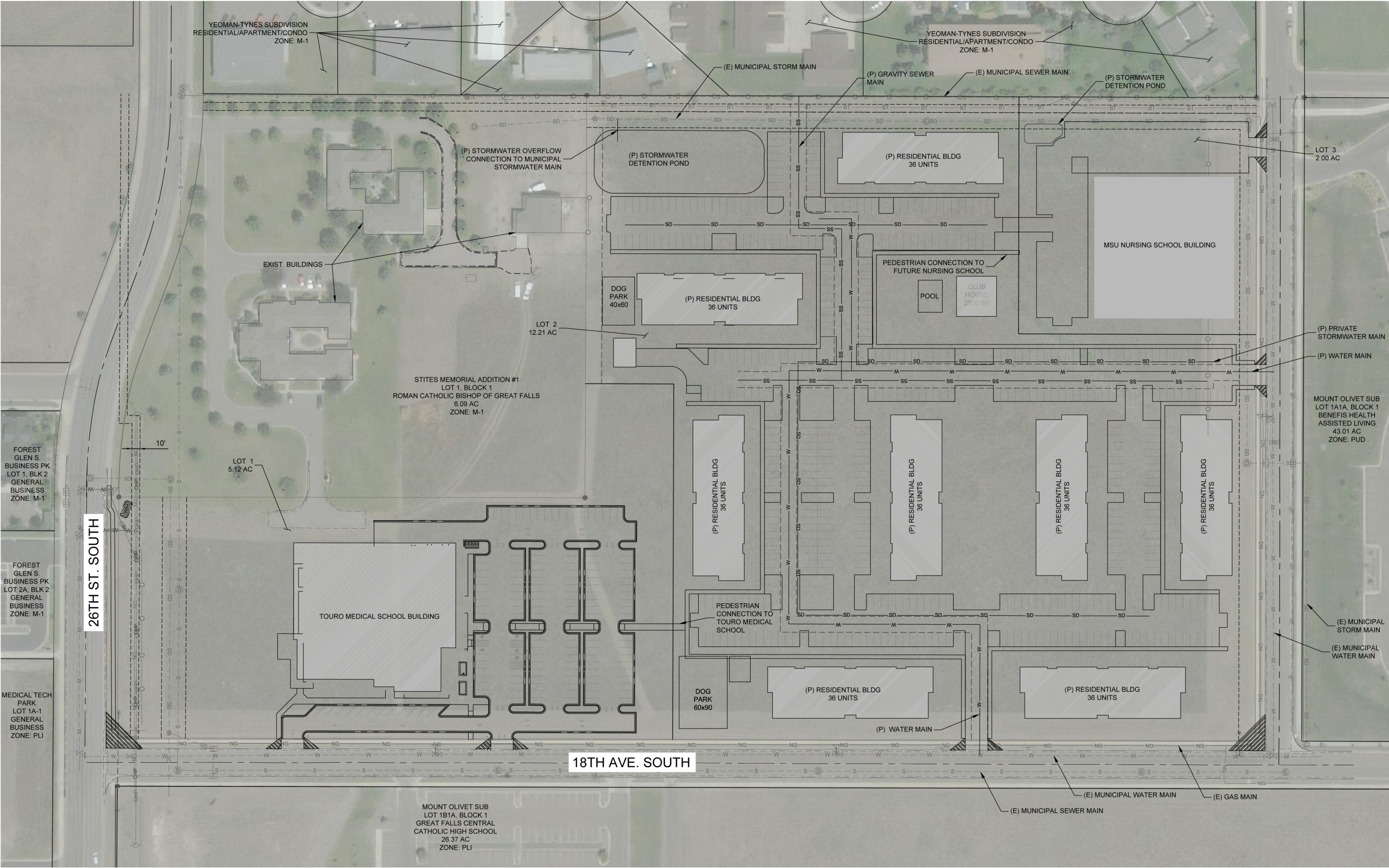
Agenda #19.

LOCATED IN THE SW1/4, SECTION 17, T20N, R4E, P.M.,M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

Survey Commissioned by: Touro College Montana, LLC

Dates of Survey: May - December 2021

Purpose of Survey: 3- Lot Minor Subdivision



LAND DEVELOPMENT NOTES

LOT 1: TOURO MEDICAL SCHOOL

MAXIMUM LOT COVERAGE OF PRINCIPAL BUILDING: 65%  
PROPOSED BUILDING LOT COVERAGE: 15%

LOT 2: STUDENT HOUSING APARTMENTS

LOT SIZE: 12.21 AC (532,025 SF)  
PROPOSED RESIDENTIAL UNITS: 288 UNITS  
MAXIMUM RESIDENTIAL DENSITY: 500 SF PER DWELLING UNIT  
PROPOSED RESIDENTIAL DENSITY: 1,850 SF PER DWELLING UNIT

LOT 3: MSU NURSING SCHOOL

MAXIMUM LOT COVERAGE OF PRINCIPAL BUILDING: 65%  
PROPOSED BUILDING LOT COVERAGE: 35%

• GROUND CONTOURS WITH AVERAGE SLOPES GREATER THAN 10% ARE NOT PRESENT ON THE SITE.

• WETLANDS ARE NOT PRESENT ON THE SITE.

• WOODLAND AREAS ARE NOT PRESENT ON THE SITE.

• WILDLIFE HABITAT, INCLUDING CRITICAL WILDLIFE HABITAT IS NOT PRESENT ON THE SITE.


• OTHER ENVIRONMENTALLY SENSITIVE FEATURES ARE NOT PRESENT ON THE SITE AT THE TIME OF THE PREPARATION OF THESE DOCUMENTS.

• WATER RESOURCES ARE NOT PRESENT ON THE SITE AT THE TIME OF THE PREPARATION OF THESE DOCUMENTS.

• FLOODPLAINS ARE NOT PRESENT ON THE SITE.

• OTHER HAZARDS INCLUDING BROWNFIELDS, CONTAMINATED SITES, UNSTABLE SOILS, HIGH GROUNDWATER, BEDROCK, HIGH-PRESSURE NATURAL GAS LINES, ETC. ARE NOT KNOWN TO BE PRESENT ON THE SITE AT THE TIME OF THE PREPARATION OF THESE DOCUMENTS.

BURIED UTILITIES ARE SHOWN AS INDICATED BY FIELD LOCATES AND RECORD MAPS FURNISHED AND VERIFIED WHERE POSSIBLE BY FEATURES LOCATED IN THE FIELD. MORRISON-MAIERLE ASSUMES NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THOSE RECORDS. FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO DESIGN CONTACT THE UTILITY OWNER/AGENCY.

 engineers • surveyors • planners • scientists 1 Engineering Place Helena, MT 59602 Phone: 406.442.3050 www.m-m.net Copyright © MORRISONMAIERLE, INC. 2022	1/4 SEC. SW	SECTION 17	TOWNSHIP 20N	RANGE 4E
	PRINCIPAL MERIDIAN, MONTANA CASCAD			
FIELD WORK: GPQ/TAW DRAWN BY: JEM CHECKED BY: CN	DATE: 1/7/2022 SCALE: 1"=60' PROJ. #: 10027.001		158 TANA rdyn	
DRAWING NAME: Q:\10027 Touro\001 Subdivision & Zoning\ACAD\Civil\10027.001_PPLAT.dwg		CLIENT: Touro College Montana, LLC SHEET 1 OF 1		



PRELIMINARY PLAT

AN AMENDED PLAT OF LOT 1, BLOCK 2 OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, PRINCIPAL MERIDIAN, MONTANA  
CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

Survey Commissioned by: Touro College Montana, LLC

Dates of Survey: May 2021 - February 2022

Purpose of Survey: 3- Lot Minor Subdivision

CERTIFICATE OF OWNER

We, the undersigned property owners, do hereby certify that we have caused to be surveyed and platted into Lots and Easements as shown hereon, the tract of land to be known as an AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, located in the southwest quarter of Section 17, Township 20 North, Range 4 East, Principal Meridian, Montana, Cascade County, Montana, the perimeter boundary of which is more particularly described as follows:

Commencing at the corner of Sections 17, 18, 19 and 20, Township 20 North, Range 4 East, monumented with a #5 rebar topped with a 2-inch aluminum cap stamped "6013ES"; thence N0°19'00"E 2165.59 feet along the Section line between Sections 17 and 18, and also being the east right-of-way of 26th Street South to the Point of Beginning; thence S89°54'10"E 579.97 feet along the south line of Lot 1, Block 1 of Amended Stites Memorial Addition No. 1; thence N0°15'44"E 500.76 feet along the east line of said Lot 1 to the south line of Block 3 of the Amended Plat of Yeoman- Tynes Addition; thence S89°49'46"E 832.94 feet along said south line to the west right-of-way of 29th Street South; thence S0°07'42"W 800.47 feet along said west right-of-way to the north right-of-way of 18th Avenue South; thence N89°51'56"W 1415.07 feet along said north right-of-way to the east right-of-way of 26th Street South; thence N0°19'00"E 299.86 feet to the Point of Beginning, containing 19.33 acres more or less and subject to any easements of record or apparent on the ground.

The above described tract of land is to be known as the AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION.

CERTIFICATE OF EXEMPTION

We further certify that this division of land is excluded from review by the Montana Department of Environmental Quality Pursuant to Section 76-4-125(1)(D) M.C.A. to wit: "Divisions located within jurisdictional areas that have adopted growth policies pursuant to Chapter 1 or within first-class or second-class municipalities for which the governing body certified, pursuant to 76-4-127, that adequate storm water drainage and adequate municipal facilities will be provided."

Touro College Montana, LLC by \_\_\_\_\_  
the \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public for the State of \_\_\_\_\_, personally appeared the above named persons whose names are subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

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

ACCEPTANCE BY CITY OF GREAT FALLS OF SHOWN NEW PUBLIC UTILITY 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 labeled "Public Utility Easements" on this plat together with the 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 (including other utilities) 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, 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.

CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned Dave Bertelsen, Chairman of the Great Falls Planning Board, and Craig Raymond, Secretary of the Great Falls Planning Board, do hereby certify and attest that the accompanying plat of the AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION has been submitted to the Great Falls Planning Board for examination and was found to conform to law and was approved at a meeting held on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Dave Bertelsen, Chairman  
Great Falls Planning Board

\_\_\_\_\_  
Craig Raymond, Secretary  
Great Falls Planning Board

CERTIFICATE OF PUBLC 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 AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, and the survey that it represents, and I find the same conforms to the regulations governing the platting of land and to presently platted adjacent land as near as circumstances will permit and I do hereby approve the same on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
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 accompan plat of the AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION was duly examined and approved by the commission of the City of Great Falls at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Gregory T. Doyon, City Manager  
City of Great Falls, Montana

CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

I, Gregory T. Doyon, City Manager of the City of Great Falls, Montana, do hereby certify that the City Commission of the City of Great Falls, Montana, found that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available to the above described property, namely, the facilities of the City of Great Falls, Cascade County, Montana and that this certificate is made pursuant to Section 76-4-127, M.C.A., thereby permitting the Clerk and Recorder of Cascade County, Montana to record the accompanying Plat.

\_\_\_\_\_  
Gregory T. Doyon, City Manager  
City of Great Falls, Montana

CERTIFICATE OF ACCEPTING A CASH DONATION IN LIEU OF PARK DEDICATION

I, Gregory T. Doyon, City Manager of the City of Great Falls, Montana do hereby certify that the City Commission of the City of Great Falls, Montana made the following order at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, to-wit: The City Commission found no necessity due the size and location of the proposed subdivisions for the setting aside or dedication of any park or playground within the platted area of the plat of the AMENDED PLAT OF LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION . It is hereby ordered by the Commission of the City of Great Falls that a cash donation in the sum of \$ \_\_\_\_\_ be accepted for the park fund in lieu of the land that would have been dedicated if a dedication were made, in accordance with Section 76-3-621(4), M.C.A.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022

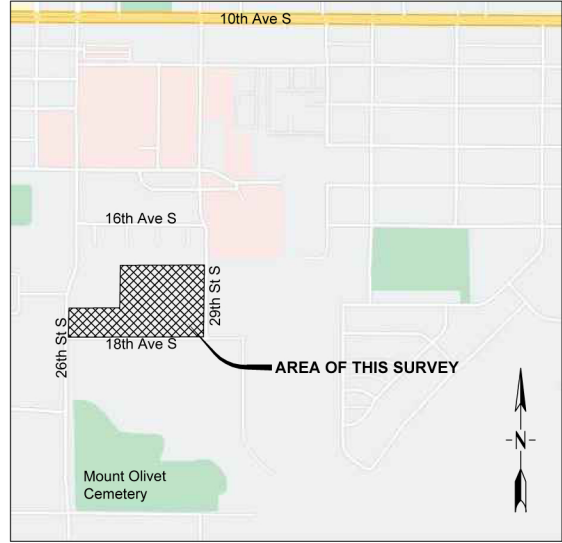
\_\_\_\_\_  
Gregory T. Doyon, City Manager  
City of Great Falls, Montana

CERTIFICATE OF SURVEYOR

I, Gunnar B. Getchell, a Montana licensed Professional Land Surveyor, do hereby certify that this survey was performed under my supervision in accordance with the provisions of the Montana Subdivision and Platting Act (76-3-101 through 76-3-625, MCA) and the regulations adopted under that Act.

I further certify that monuments will be set after the installation of improvements, by \_\_\_\_\_, 202\_\_\_\_, pursuant to 24.183.1101(1)(d) ARM.

VICINITY MAP



CERTIFICATE OF TREASURER


I, Diane Heikkila, Cascade County Treasurer, do hereby certify pursuant to Section 76-3-207(3) M.C.A., that all real property taxes and special assessments assessed and levied on the land have been paid.

Geocode: 02-3016-17-3-09-01-0000      Assessment Code: 0001173005

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Diane Heikkila, Treasurer  
Cascade County, Montana

CASCADE COUNTY CLERK AND RECORDER

 engineers • surveyors • planners • scientists		1321 8th Avenue North, Suite 104 Great Falls, MT 59401 Phone: 406.454.1513 www.m-m.net ©COPYRIGHT © MORRISON MAIERLE, INC. 2022		1/4 SEC. SW	SECTION 17	TOWNSHIP 20N	RANGE 4E		
FIELD WORK: GPQ/TAW DRAWN BY: JJR CHECKED BY: GBG				DATE: 2/15/2022 SCALE: 1"=60' PROJ. #: 10027.001				PRINCIPAL MERIDIAN, MONTANA CASCADE	COUNTY MONTANA
				PLOTTED DATE: Feb/15/2022 CLIENT: Touro College Montana, LLC SH				159	ff roe F 2
DRAWING NAME: Q:\10027 Touro\001 Subdivision & Zoning\ACAD\Survey\Touro MinorSub 2022\2015.dwg									

PRELIMINARY

PRELIMINARY PLAT

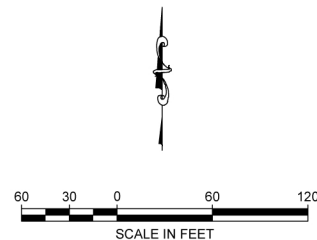
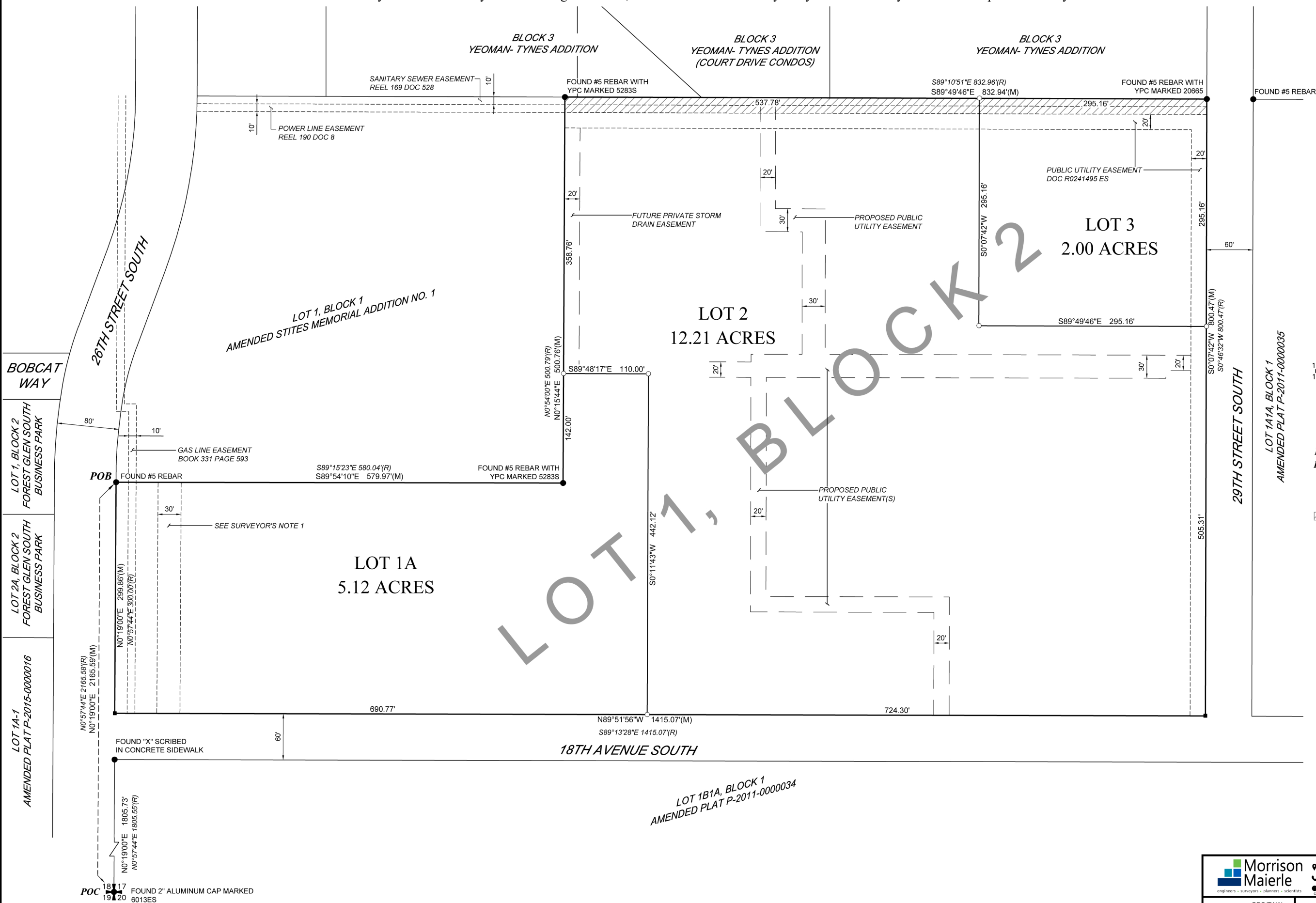
Agenda #19.

AN AMENDED PLAT OF LOT 1, BLOCK 2 OF THE AMENDED PLAT OF LOT 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, PRINCIPAL MERIDIAN, MONTANA  
CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

Survey Commissioned by: Touro College Montana, LLC

Dates of Survey: May 2021 - February 2022

Purpose of Survey: 3- Lot Minor Subdivision



BASIS OF BEARINGS

Bearings are geodetic, derived from GNSS observations with survey-grade receivers and referenced to true meridian at NAD83 north latitude 47°29'33.36" and west longitude 111°15'28.73". Convergence to true meridian along the west line of Lot 1A is -0°00'07"

LEGEND

- FOUND SECTION CORNER AS NOTED
- FOUND MONUMENT AS NOTED
- SET A BERNSTEN BP1P 1-1/4-INCH DIAMETER COPPER CAP MARKED "MMI 9758LS" IN A 2-INCH ANCHORING PLUG OVER A 1/4-INCH BY 1/2-INCH MAGNET
- 5/8X24-INCH REBAR WITH A 2-INCH ALUMINUM CAP MARKED "MORRISON-MAIERLE INC. 9758LS"
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- RECORD COURSES PER AMENDED PLAT P-2007-0000027
- MEASURED COURSES THIS SURVEY
- YELLOW PLASTIC CAP
- PROPOSED 20-FOOT WIDE PUBLIC TRAIL EASEMENT

SURVEYOR'S NOTE

- A 30-foot wide easement is depicted graphically on Amended Plat, Document No. P-2007-0000027, with the purpose and location not stated. This survey disclosed existing stormwater and sanitary sewer lines, and centered them inside the 30-foot wide easement shown on this plat.

 engineers • surveyors • planners • scientists	1321 8th Avenue North, Suite 104 Great Falls, MT 59401 Phone: 406.454.1513 www.m-m.net COPYRIGHT © MORRISON-MAIERLE, INC. 2023	1/4 SEC. SW	SECTION 17	TOWNSHIP 20N	RANGE 4E
	FIELD WORK: GPO/TAW DRAWN BY: JJR CHECKED BY: GBG	DATE: 2/15/2022 SCALE: 1"=60' PROJ. #: 10027.001	PRINCIPAL MERIDIAN, MONTANA CASCADE		
DRAWING NAME: Q:\10027 Touro\001 Subdivision & Zoning\ACAD\Survey\Touro MinorSub 20220215.dwg		160			