

JOURNAL OF SPECIAL COMMISSION PROCEEDINGS
April 30, 2019

Special City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Tracy Houck, Owen Robinson, Bill Bronson, and Mary Sheehy Moe. Also present were the City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; and, City Attorney Sara Sexe.

AGENDA APPROVAL: There were no changes proposed by the City Manager or the City Commission. The agenda was approved as submitted.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PETITIONS AND COMMUNICATIONS

MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Fred Burow, 1926 21st Avenue South, cautioned the Commission about discussions with Maclean based on prior Commission experience. He suggested City staff, rather than Commission members, work with Maclean to bring information back to the City Commission for consideration.

OLD BUSINESS

1. **CONSIDERATION OF MOTION TO RESCIND PRIOR POSTPONEMENT UNTIL SEPTEMBER 3rd OF THE DECISION TO AWARD OR NOT AWARD A CONTRACT TO DETAILED CONSTRUCTION IN THE AMOUNT OF \$462,000 FOR THE GREAT FALLS ANIMAL SHELTER CATTERY ADDITION (OF 1673).**

City Attorney Sara Sexe reported that, at the April 2, 2019, City Commission meeting, the Commission postponed the decision on Agenda Item 19 to award or not award a contract to Detailed Construction in the amount of \$462,000 for the Great Falls Animal Shelter Cattery Addition until September 3rd. That agenda report and supporting documentation were provided again and incorporated into this agenda report. A postponement until September 3rd would have the effect of rejecting the bid. The Invitation to Bid and Instructions to Bidders required a bid to be awarded within 60 days of the March 20, 2019, bid opening date.

Because of the factual circumstances, City Attorney Sexe advised the City Commission to consider rescinding its decision to postpone the determination until September 3, 2019. That action would allow the matter to be placed on the May 7, 2019, Commission meeting agenda, which is before the 60 day time period would expire.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission rescind the Commission's April 2, 2019, adoption of postponing action on the decision to

JOURNAL OF SPECIAL COMMISSION PROCEEDINGS

April 30, 2019

award or not award a contract to Detailed Construction in the amount of \$462,000 for the Great Falls Animal Shelter Cattery Addition until September 3, 2019.

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

Rebecca Clark, 309 8th Avenue South, Apt. A, spoke in support of the motion. She encouraged the Commission to really look at the situation and to take to heart what is needed for the animals in the City, rather than pushing things off and not moving forward.

Jeni Dodd, 3245 8th Avenue North, also spoke in support of the motion. She added that the incinerator is also in question and is in dire need. Ms. Dodd concluded that Commissioner Robinson should have recused himself due to his long history of involvement with the Animal Foundation and Maclean.

Written correspondence was received from **Lottie Hufford**, Citizen Ticket ID: 12821ba05, in support of rescinding the Commission's prior postponement until September 3rd, and to move forward with the construction of the cattery.

There being no one further to address the Commission, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Robinson commented that this action was to rescind the prior vote of postponing action until September 3rd, and allowing the vote on whether to award or not award a contract to occur at the Commission meeting next week. To put the decision off because there is another initiative would be unfair to the people involved in the 50+ fundraising events and the donors that raised enough money for the cattery addition.

Commissioner Houck noted that, although the Animal Shelter building is antiquated, staff has made significant changes the past four years. Because she will be absent from the next Commission meeting, she noted that she is in support of the City moving forward with the funds that have been raised for the cattery project.

Mayor Kelly inquired if the bid was in fact still valid for the 60 day period. City Attorney Sexe responded affirmatively.

Commissioner Bronson added that he is looking forward to the discussion of this matter on the merits at next Tuesday's meeting.

Commissioner Moe commented that the collecting of money for that specific purpose is a strong argument for it. However, much of that money was collected for a proposal that has been scaled back. It would be helpful to her as the Commission approaches the decision next week (1) to hear comment about whether there is any concern about the scaling back in terms of those donors; (2) if there is any implication in the Commission approving this bid that it implies a continuing expansion along the lines of the plan that was adopted in 2012; and (3) if the expanded facility, which has been made possible by donations, will also require an expanded operational expense. It

JOURNAL OF SPECIAL COMMISSION PROCEEDINGS
April 30, 2019

is her understanding that an additional 25 cats would require an additional FTE, and that too is part of the Commission's consideration.

With regard to Mayor Kelly's inquiry, City Attorney Sexe added that the architect was also aware of the 60 day timeframe.

Architect Ryan Smith commented that he would be in attendance at next week's Commission meeting.

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

Motion carried 5-0.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Robinson, to adjourn the special meeting of April 30, 2019, at 5:47 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: May 7, 2019