

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

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, Mary Sheehy Moe, Owen Robinson, Tracy Houck and Rick Tryon. Also present were the City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig; Assistant City Attorney Joe Cik; and, Police Captain Rob Moccasin.

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.

1. **PROCLAMATIONS**

Commissioner Moe read a proclamation for Youth Art Month (March 2020) and Mayor Kelly read a proclamation for Community Week of Compassion and Fast (March 1-7, 2020).

PETITIONS AND COMMUNICATIONS

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Daniel Hartzel, 609 Central, expressed concern with regard to parking meters prevent citizens from shopping downtown.

Kevin Westie, 602 35th Street North, expressed concern with regard to the sustainability plan from Citizens for Clean Energy and Climate Resiliency. He further expressed concern that electric vehicles would exacerbate the electric grid problems.

Richard Liebert, 289 Boston Coulee Road, reported that the Montana Region II Science and Engineering Fair will be held at the Great Falls College Montana State University on March 10, 2020 for elementary schools and March 12, 2020 for middle and high schools. He extended an invitation for local community groups to send Public Service Announcements (PSA's) to KGPR radio. He announced that Senator Jon Tester might be a guest of "On Point: Veterans Talk Radio" on KGPR radio on February 25, 2020.

Jeni Dodd, 3245 8th Avenue North, expressed concern with regard to the duties, responsibilities and exercises of power of the Commission, as well as the Commission representing special interest organizations. Ms. Dodd expressed concern with regard to an anti-gun rights letter signed by the Commission in March 2019.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

She expressed concern with regard to Commissioner Houck's and former Commissioner Bronson's involvement with the Big Sky National Heritage Area, Inc.

Referring to Mr. Lieberts announcement, **Aart Dolman**, 3016 Central Avenue, clarified that the correct date for Senator Jon Tester to be a guest on KGPR radio was changed to February 24, 2020.

John Hubbard, 615 7th Avenue South, expressed concern with regard to the water quality, the letter in support of refugees, lack of jobs and tax increases.

NEIGHBORHOOD COUNCILS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Kathleen Gessaman, NC 3, 1006 36th Avenue NE, expressed appreciation to Commissioner Moe for attending a recent Neighborhood Council meeting and discussing the Madison Food Park Proposal.

BOARDS & COMMISSIONS

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

Commissioner Robinson reported on the following:

- Cascade County was the first and only county to have met their target of jobs for the Census Bureau.
- The Census questionnaire will be mailed out around March 15, 2020 and citizens can either call the Census Bureau, go on line, or mail the questionnaire back.
- Verify that the questionnaire is from the Census Bureau and fill it out right away.
- The Great Falls Public Library is available for citizens without internet.

Referring to a previously referenced anti-gun rights letter signed by the Commission last March, Commissioner Tryon clarified that he was not on the Commission at that time and his name was not on the letter.

CITY MANAGER

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported on the following:

- The Citizens Academy facilitated a mock trial with the City Attorney's Office.
- Friends of the Library recently sponsored three complimentary parking spots on 2nd Avenue North to provide Citizens with 30 minutes of free parking to utilize the library.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

- Dan Clark with the MSU-Local Government Center will be here on February 25-26, 2020 to conduct board, commission and council training. The City Commission will have a separate session on February 25th in the afternoon.
- Great Falls Fire Rescue responded to a structure fire at the Greystone Hotel last week.
- The Great Falls Animal Shelter Cattery Addition is progressing and the Animal Shelter is partnering with a crematory out of Helena to keep cremation services available to citizens in Great Falls during the transition of the new hydro incinerator.
- The IT Department completed a National Institute of Standards and Technology network vulnerability assessment covering ten industry standard security domains.
- He attended the Association Defense Communities (ADC) Installation Innovation Forum last week and he received good information for the two military installations in our community.
- He announced that Public Works Director Jim Rearden will be retiring effective March 31, 2020 and that recruitment efforts will be made for two key positions in the Public Works Department, as well as the Fire Chief position.

CONSENT AGENDA.

6. Minutes, February 4, 2020, Commission Meeting.
7. Total Expenditures of \$2,926,031 for the period of January 18, 2020 through February 5, 2020, to include claims over \$5000, in the amount of \$2,680,908.
8. Contracts List.
9. Grants List.
10. Approve the Montana Department of Transportation's Preliminary Engineering (PE) modification to the Memorandum of Understanding and Project Funding and Maintenance Agreement, increasing the City's funding match from \$8,669 to \$15,401 for the Stuckey Road Improvements project. **(OF 1739.1)**
11. Approve a Professional Services Agreement in the amount of \$99,110.00 to Stantec, for the Waste Water Treatment Plant (WWTP) Electrical Project, and authorize the City Manager to execute the agreement documents. **(OF 1633.7)**
12. Award a contract in the amount of \$733,375 to MRTE, Inc., for the Encino Drive / Grande Vista 2 Street Repairs Phase 2 project, and authorize the City Manager to execute the construction contract documents. **(OF 1680.1)**

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

13. Approve a Change Order #1 in the amount of \$24,280.01 for the Gibson Park Restroom Remodel, approve Final Payment in the amount of \$19,843.67 to Wadsworth Builders Company and \$200.44 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.
(OF 1737.1)
14. Adopt Corrected Resolution 10327, Correcting the Legal Description of Certain Property Located at 804 4th Avenue Southwest that has been Declared a Nuisance.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the Consent Agenda as submitted.

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

Donna Williams, 2916 2nd Avenue North, expressed appreciation to the Commission for approving Items 8 B & C.

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

Referring to Item 13, Commissioner Tryon inquired as to what precipitated the change order amount to more than what was originally bid.

Park and Recreation Director Herrig responded on the following:

- New stalls and sinks were added to the men's and women's restrooms.
- Fixtures were replaced, new partitions and outlets were added in the concession vendor area.
- The HVAC system was changed to a central heat and air unit in the restrooms and concession area.

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

Motion carried 5-0.

PUBLIC HEARINGS

15. **RESOLUTION 10324, ESTABLISHING RESIDENTIAL AND COMMERCIAL SANITATION SERVICE COLLECTION RATES EFFECTIVE MARCH 1, 2020.**

Public Work Director Jim Rearden reviewed and discussed the PowerPoint slides consisting of the City Sanitation Landfill costs; personnel costs; vehicle maintenance and replacement; previous and proposed residential rate increases and current statewide rates.

Mayor Kelly asked if the Commission had any questions of staff.

Commissioner Tryon received clarification that to be compliant with the Affordable Care Act, part of the increase was from converting three part-time employees to two full-time employees.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

Mayor Kelly declared the public hearing open.

Jeni Dodd, 3245 8th Avenue North, received clarification that the senior rate applies to anyone over 65 and currently there are more than 2000 citizens on the senior rate.
No one spoke in support of Resolution 10324.

Speaking in opposition to Resolution 10324 was

John Hubbard, 615 7th Avenue South, commented that water and sanitation rates are combined as one and he expressed opposition to the rate increase.

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

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10324, establishing residential and commercial sanitation service collection rates effective March 1, 2020.

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

Commissioner Tryon commented that normally he wouldn't support a rate increase; however, competition between Republic Services and the City Sanitation is a good balance.

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

Motion carried 5-0.

16. RESOLUTION 10329, ESTABLISHING GOLF FEES FOR EAGLE FALLS GOLF CLUB AND ANACONDA HILLS GOLF COURSE.

Park and Recreation Director Steve Herrig reported that in an effort to maintain current operations, anticipate future demands, and promote the golfing community, fees need to be established that will help offset expenditures relating to operation, administration, equipment replacement, capital-improvement, debt, and labor costs associated with the Eagle Falls Golf Club and Anaconda Hills Golf Course.

Mayor Kelly asked if the Commission had any questions of staff. Hearing none, Mayor Kelly declared the public hearing open.

No one spoke in opposition to Resolution 10329.

No one spoke in support of Resolution 10329.

Jeni Dodd, 3245 8th Avenue North, inquired about the amount of debt remaining in the general fund from the past golf course operation.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

City Manager Doyon responded that there is approximately \$1 million owed from the golf fund to the general fund.

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

Commissioner Tryon moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10329, Golf Fees.

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

Mayor Kelly noted that several comments received over the last several months have been favorable, including the Great Falls Public Schools Athletic Director.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

17. PARKING ENFORCEMENT/SERVICES CONTRACT RENEWAL.

Planning and Community Development Director Craig Raymond reported that this agenda item is a request to approve a one-year amended contract with SP Plus to continue to manage day-to-day operations of the downtown parking program. The contract renewal includes on-street time enforcement, meter collections, surface lot and parking garage enforcement and maintenance of parking facilities. Other duties and responsibilities include snow removal contracting and management, and parking operations software contract and hardware maintenance. The contract extension includes a five percent increase in the Management Fee, but no other increases in the contract budget.

The one-year contract represents a shift away from the previous three-year extensions that has been done in the recent past. Staff intends to pursue and publish a Request For Proposals (RFP) that may provide an opportunity to the City Commission to shift the responsibilities of the downtown parking program to the private sector. If successful, respondents will submit proposals that will essentially privatize parking operation of the city's on and off-street parking assets. It may be in the City's best interest to include certain parameters within any agreement so that the Commission may still exercise certain controls to ensure fair and equitable market conditions.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission approve the City's Parking Enforcement Services Third Amended Contract.

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

John Hubbard, 615 7th Avenue South, expressed concern with regard to 15 minutes on the parking meters does not allow adequate time for citizens to shop.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

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

Commissioner Tryon received clarification that the five percent increase in management fees and is justifiable.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

18. **RESOLUTION 10331, AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE OF UP TO \$3,700,000 TAX INCREMENT BONDS, SERIES 2020, WEST BANK URBAN RENEWAL DISTRICT; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF AND APPROVING AMENDMENT NO. 3 TO DEVELOPMENT AGREEMENT WITH WEST BANK, LLC.**

Finance Director Melissa Kinzler reported that the City designated and approved the West Bank Landing Project as an urban renewal project, consisting of a 12.5 acre, multi-phase, mixed-use commercial development in the District. The project also includes construction of a four story, 127 room hotel and future sites for restaurants, office buildings, retail shops and residential condominiums, to be located at the West Bank Landing generally on the east side of 3rd Street NW, along and to the northeast of 4th Avenue NW (the “West Bank Landing Project”).

The City authorized the use of Tax Increment in an amount not to exceed \$2,642,614 to pay or reimburse West Bank LLC (the “Developer”) for the costs of certain qualified improvements associated with the West Bank Landing Project. This is consisting of environmental remediation, removal of existing buildings, design, engineering and relocation of overhead power and telecom utilities, and design, engineering, construction and installation and extension of water, sanitary sewer, and storm sewer utilities.

The City and the Developer entered into a Development Agreement, dated as of August 2, 2016, as amended and supplemented by Amendment No. 1 to Development Agreement dated as of October 1, 2018. Amendment No. 2 to Development Agreement dated as of October 15, 2019, pursuant to which the City agreed to issue bonds payable from Tax Increment in a principal amount sufficient to pay or reimburse the Developer for \$1,592,614 of costs of the Infrastructure Improvements.

The City, through the Amendments in the Development Agreements, has already paid \$1,050,000 of the original \$2,642,614. The Developer has represented to the City that it has satisfied all preconditions to the issuance of such bonds as set forth in the Development Agreement.

In order to permit the issuance of the Series 2020 Bonds on a tax-exempt basis, the City and the Developer need to enter into Amendment No. 3 of the Development Agreement. The execution of Amendment No. 3 to Development Agreement by the City and the Developer is a condition precedent to the issuance of the Series 2020 Bonds and the payment or reimbursement to the

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

Developer.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10331.

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

Brett Doney, Great Falls Development Authority (GFDA), 405 3rd Street NW, commented that the West Bank Landing Project is a great example of a proper use of Tax Increment Financing. He added that GFDA has an interest in this project since it provided much of the bridge financing for some of the improvements.

Brad Talcott, 2801 4th Avenue North, expressed appreciation to City staff for their efforts with regard to the West Bank Landing Project and noted that the project is a good example of how TIF districts should work.

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

Mayor Kelly mentioned that refinancing the bonds is a fiscally responsible opportunity that will result in a savings of at least over \$200,000 for the City.

Mayor Kelly called for the vote.

Motion carried 5-0.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission approve Amendment No. 3 to Development Agreement with West Bank, LLC.

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 expressed appreciation to Finance Director Kinzler for her efforts with regard to working with DA Davidson.

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

Motion carried 5-0.

19. RESOLUTION 10333, A RESOLUTION OF THE CITY OF GREAT FALLS REGARDING THE ADOPTION OF AN ENERGY RESPONSE TASK FORCE.

Commissioner Moe reported that Resolution 10333 establishes an ad hoc task force to evaluate the City's energy use and resiliency and to propose a plan to improve energy conservation and emergency response to the effects of changing weather patterns in Great Falls. The task force will be formed upon securing an Energy Corps member to oversee the work of the task force, under the

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

supervision of the designated City employee and will dissolve upon submission of its plan or on May 31, 2021, whichever is sooner.

On Nov. 5, 2019, Ken Palisin, on behalf of Citizens for Clean Energy (CCE), addressed the City Commission in a work session and proposed a resolution to establish an Energy Conservation and Sustainability group to help the City of Great Falls move toward a cleaner energy future. The specific goal of the resolution was to increase the City's use of the clean energy sources of solar and wind to 40 percent by the year 2025.

Since the November work session, several proponents of the resolution have become part of the Montana State University's Climate Smart Montana, a non-partisan, non-profit network of communities, organizations and schools sharing information and resources to better coordinate community-based climate solutions and resiliency efforts in Montana. Through that network, they have been able to study other Montana communities' initial resolutions and learn more about the resources provided by Energy Corps. Based on these efforts, CCE has completed the modified resolution, which would establish a one-year task force to study what the City has done regard to energy conservation and emergency responsiveness, develop a proposal for future actions to be taken in both areas, and identify the partnerships and resources needed to implement the proposals.

Melissa Smith, 2736 Clover Drive, on behalf of Citizens for Clean Energy (CCE), commended the City for its actions already taken to conserve energy and reduce energy costs. She commented that Resolution 10333 builds on furthering goals of energy conservation as well as preparing for extreme weather events and urged that the Commission adopt Resolution 10333.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10333.

Written correspondence expressing support of Resolution 10333 was received from Dorothy Starshine (via February 13, 2020 email), Michael Enk (via February 13, 2020 email), Lita Sharone (via February 18, 2020 email) and Vickie Leigland (via February 18, 2020 email).

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

Richard Liebert, 289 Boston Coulee Road, provided a handout on comparison of annual operation costs for light bulbs. He commented that the mission of the task force is to determine the best energy conservation and extreme weather response course of action plan.

Lita Sharone, 1200 32nd Street South, expressed appreciation to City staff for hiring McKinstry to perform an energy efficiency audit and for actions already taken to conserve energy and reduce energy costs.

Aart Dolman, 3016 Central Avenue, expressed support of Resolution 10333.

Brett Doney, Great Falls Development Authority (GFDA), 405 3rd Street NW, pointed out that the City has an emergency preparedness team and that the City previously issued an RFP for energy conservation

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

services implementing energy savings. He added that it is unclear how establishing a task force is going to add expertise that the City doesn't already have.

Ken Palisin, 1200 32nd Street South, on behalf of Citizens for Clean Energy (CCE), opined that Resolution 10333 provides continued conservation and resiliency.

Jeni Dodd, 3245 8th Avenue North, expressed opposition to Resolution 10333 and suggested that CCE pay for the study. She questioned if the study would accomplish anything that has not already been done by the City staff. She expressed concern with regard to Commissioner Moe's involvement with regard to working on the resolution with CCE. Ms. Dodd expressed concern that the timing of posting the agendas make it difficult for citizens to review before City Commission meetings.

Samantha Harrington, 13 15th Street South, expressed support of Resolution 10333 and commented that the investment to explore how the increased use of more sustainable energy sources is a good idea.

Donna Williams, 2916 2nd Avenue North, expressed support of Resolution 10333 and opined that a task force works best if they are broadly represented of all citizens in the community.

Talon Harrington, 13 15th Street South, suggested that the City focus on solar and wind power for energy conservation.

Kathleen Gessaman, NC 3, 1006 36th Avenue NE, concurred with Mr. Harrington's comments and added that a task force could gather information and educate the community.

Kevin Westie, 602 35th Street North, commented that the City already has departments that evaluate the City's energy use and adopting Resolution 10333 would be a waste of money.

Carolyn Craven, 101 14th Avenue South, expressed support of Resolution 10333.

Ken Thornton, 31 Paradise Lane, expressed concern about climate change and commented that City staff is overburdened; therefore, for an Energy Corps volunteer could evaluate the City's energy use for \$12,000.

John Hubbard, 615 7th Avenue South, expressed concern with regard to deregulation.

David Saslav 2736 Clover Drive, member of CCE, explained that the Energy Corps volunteer under consideration would provide City staff with a useful conduit to a growing network that extends beyond the existing projects that are currently being implemented in the City. He opined that Resolution 10333 allows for a transparent study.

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

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

Commissioner Tryon commented that there is not sufficient information to make an informed and responsible vote on Resolution 10333. He inquired as to where the \$12,000 matching fund would come from.

Manager Doyon responded that the Commission would need to direct him to find funding for it in the existing general fund.

Commissioner Tryon explained that there is no data or cost estimates on the additional staff time that it would take beyond the \$12,000, as well as if the Energy Corps volunteer would be an employee of the City. He expressed concern that an agreement between Energy Corps and the City was not provided to the Commission and that the project would obligate taxpayer funds, public resources and City staff time to a project that has not been adequately publicly vetted. He concluded that the City has already taken energy conservation measures and needs to address higher priority issues in the City.

Commissioner Tryon moved, seconded by Commissioner Robinson, that the City Commission postpone the pending motion indefinitely.

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

Richard Liebert, 289 Boston Coulee Road, concurred with some of Commissioner Tryon's concerns and he suggested an amendment to Resolution 10333.

Brett Doney, Great Falls Development Authority (GFDA), 405 3rd Street NW, expressed support of citizen passion with regard to the renewable energy proposal.

Speaking in support of the subsidiary motion were:

Jeni Dodd, 3245 8th Avenue North, **Kevin Westie**, 602 35th Street North and **John Hubbard**, 615 7th Avenue South.

Speaking in opposition to the subsidiary motion were:

Samantha Harrington, 13 15th Street South, **Melissa Smith**, 2736 Clover Drive, **Talon Harrington**, 13 15th Street South, **Aart Dolman**, 3016 Central Avenue, **Lita Sharone**, 1200 32nd Street South and **Ken Palisin**, 1200 32nd Street South,

Commissioner Houck stepped out at 9:23 p.m. and returned at 9:25 p.m.

Commissioner Robinson stepped out at 9:25 p.m. and returned at 9:28 p.m.

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

With regard to the \$12,000 matching funds, Commissioner Moe suggested that funding for the Municipal Court part-time judge or vacancy savings from the retirement of the Public Works Director would be ideal sources of funding for the one-time only fund.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

Commissioner Moe explained that there would be additional staff time; however, the City would provide supervision and coordinate with the ad hoc task force. She added that the project has been publicly vetted and that the Commission should see the agreement between Energy Corps and the City.

Commissioner Robinson received clarification that the proposed resolution from CCE was provided in the agenda to show transparency between where the group first started to where they are now with Resolution 10333. He further received clarification that spending the \$12,000 is contingent on securing the services of an Energy Corps member. Commissioner Robinson expressed concern with regard to some of the language in Resolution 10333 and it resolving what everyone wants it to resolve. He concluded that he supports energy conservation; however, Resolution 10333 is not ready.

Commissioner Houck commented that Resolution 10333 allows the City to move forward with energy conservation efforts.

Commissioner Tryon reiterated that he is proposing to postpone the vote on Resolution 10333 because of incomplete information.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission amend the subsidiary motion to rather than being postponed indefinitely until March 17, 2020.

Commissioner Moe commented that having the information on the Memorandum of Agreement (MOU) is important; however, there may not be answers to Commissioner Tryon's other concerns. She noted that moving forward as a Commission is important.

Commissioner Tryon reiterated that not only is he requesting information about the MOU, but also how much City staff time and resources would be required.

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

Speaking in support of amending the subsidiary motion were:

Richard Liebert, 289 Boston Coulee Road, **Kevin Westie**, 602 35th Street North, **John Hubbard**, 615 7th Avenue South and **Jeni Dodd**, 3245 8th Avenue North.

Speaking in opposition to amending the subsidiary motion were:

Samantha Harrington, 13 15th Street South, **Lita Sharone**, 1200 32nd Street South and **David Saslav**, 2736 Clover Drive.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Subsidiary Motion, as amended, carried 4-1 (Commissioner Houck dissenting).

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

20. ORDINANCE 3211, AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): RESERVING CHAPTERS 41 THROUGH 43; AND, REPEALING AND REPLACING CHAPTER 44 PERTAINING TO LANDSCAPING.

Planning and Community Development Director Craig Raymond reported that Planning and Community Development, Public Works, Engineering and Environmental Divisions have been working to address community concerns with the development process in the City. Ordinance 3211 significantly restructures and organizes the layout of the code so that it is easier to navigate and understand code requirements based on use.

Staff was also aggressive in proposing reductions in planting rates for trees and shrubs as well as providing more flexibility for plant types and beautification strategies. Developers are being encouraged to incorporate storm water facilities into the landscape design in order to address storm water compliance and landscape code compliance, which will offer cost savings in the development.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission accept Ordinance 3211 on first reading and set a public hearing for March 17, 2020.

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

Katie Hanning, Home Builders Association, 327 2nd Street South, expressed appreciation to City staff for their outstanding efforts. She suggested that zeroscaping be considered, which is sustainable low maintenance, and supports the idea of astro turf.

Brett Doney, Great Falls Development Authority (GFDA), 405 3rd Street NW, commented that Ordinance 3211 gives some flexibility while still protecting the original intent of landscaping codes.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

21. ORDINANCE 3212, AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): REPEALING APPENDIX B PERTAINING TO THE LIST OF REQUIRED TREES FOR BOULEVARD AREAS AND STREET MEDIANS.

Planning and Community Development Director Craig Raymond reported that staff has noted over the years several instances where Appendix B either needed to be amended or some flexibility needed to be exercised due to either local availability of tree species or disease and insect infestation problems with certain tree species.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission accept Ordinance 3212 on first reading and set a public hearing for March 17, 2020.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

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

John Hubbard, 615 7th Avenue South, inquired as to the origin of Dutch Elm Disease.

Kevin Westie, 602 35th Street North, inquired about the number of trees required on a boulevard. Mayor Kelly responded that the Park and Recreation Department would have answers to Mr. Hubbard and Mr. Westie inquiries at the March 17, 2020 City Commission meeting. Mayor Kelly suggested that Mr. Hubbard and Mr. Westie put their concerns in writing.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

22. ORDINANCE 3213, AMENDING TITLE 15 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): PERTAINING TO BUILDINGS AND CONSTRUCTION.

Assistant City Attorney Joe Cik reported that Ordinance 3213 would amend the Official Code of the City of Great Falls (OCCGF) Title 15 to comply with Mont. Code Ann. Title 50 and the ARM. The first substantive proposed amendment would adopt the above listed codes that have not previously been adopted into OCCGF Title 15. The second substantive proposed amendment would change language in certain provisions to adopt the appendices that have also been adopted by the Montana Department of Labor and Industry (MTDOLI). Finally, the Ordinance under consideration would allow the Great Falls Fire Rescue Department (GFFR) to assess fees for Fire Prevention Bureau inspections, if it deems necessary.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission adopt Ordinance 3213.

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

Motion carried 5-0.

CITY COMMISSION

23. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Referring to a previous speakers comment about her involvement with the Big Sky National Heritage Area, Inc. Commissioner Houck reiterated that being a Big Sky Country National Heritage Area, Inc. (BSCNHA) Board Member in the past was fully disclosed and that her donation was to support a feasibility study years prior to any discussions about the BSCNHA. She pointed out that she did not receive any personal benefit from it and that she will always support tourism.

JOURNAL OF COMMISSION PROCEEDINGS
February 18, 2020

24. COMMISSION INITIATIVES.

Commissioner Moe announced that a resolution with regard to the Neighborhood Councils concerns about the proposed Madison Food Park will be forthcoming for the March 3, 2020 Commission meeting.

Commissioner Houck explained that she had received phone calls that were blocked and anonymous; therefore, she was unable to respond. She encouraged citizens who wish to communicate with the Commission, to utilize the City Manager's office or the interface on the website.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of February 18, 2020, at 10:20 p.m.**

Motion carried 5-0.

Mayor Kelly

Deputy City Clerk Darcy Dea

Minutes Approved: March 3, 2020