

JOURNAL OF COMMISSION PROCEEDINGS

April 7, 2020

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Gibson Room 212

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members participated electronically via Zoom: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. Present were the City Manager Greg Doyon and Deputy City Manager Chuck Anderson, City Clerk Lisa Kunz and Deputy City Clerk Darcy Dea; Assistant Fire Chief Jeremy Jones; Park and Recreation Director Steve Herrig; Public Works Environmental Manager Paul Skubinna; Planning and Community Development Director Craig Raymond; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

Due to the COVID-19 health concerns, the format of the City Commission meeting is being conducted in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation is welcomed and encouraged as follows:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Gibson Room according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 5:00 PM on Tuesday, April 7, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. 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. The public may call in during specific public comment periods at [406-761-4786](tel:406-761-4786). All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties.

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: Proclamations for Arbor Day (April 24, 2020) and Public Safety Telecommunicators Week (April 12-18, 2020), were not read/presented during the meeting, but rather delivered or picked up by the proclamation requesters.

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/BOARDS AND COMMISSIONS

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1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Robinson provided an update on the 2020 Census. He pointed out that everybody that has an address will get two notices, and people that have a PO Box or a rural address will not have a census delivered to their house as was originally planned. He encouraged those people to go to 2020Census.gov to respond.

2. APPOINTMENTS TO THE PARK AND RECREATION BOARD.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission appoint Carol Bradley and Laramie Smovir for partial three-year terms through December 31, 2021, to the Park and Recreation Board.

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

Commissioner Tryon inquired why the recommended appointees in the motion were different than staff's recommendations for appointments to this board.

Commissioner Moe responded that she was disappointed that the recommendations didn't come from the Park Board. She looked at those applications on their merits and was impressed by the things that each of them could bring to the Board. She noted that Mr. Carroll has already served two terms and submitted his application belatedly. She is interested in getting new people engaged in the process of City government.

Commissioner Tryon inquired if the agenda report recommendations were from staff or the Board.

Park and Recreation Director Steve Herrig responded that this Board has struggled with getting a quorum. Applicants Patrick Carroll and Laramie Smovir applied last spring. The other two are new applications. The applications were provided to the Board members for their input to staff.

Commissioner Moe added that her recommendations bring a different mix to the Board.

Commissioner Robinson noted that recommended appointee Laramie Smovir is married to a person that works for the Park and Recreation Department.

City Attorney Sara Sexe commented that it is her opinion that, because there is no direct supervision of Laramie by the staff person, there wouldn't be a conflict.

After further discussion about the appearance of a conflict, Commissioner Moe commented that she would make a new motion.

Mayor Kelly called for the vote.

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Motion failed 0-5.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission appoint Patrick Carroll to a partial three-year term through December 31, 2020, and appoint Carol Bradley and Gary Arno for partial three-year terms through December 31, 2021, to the Park and Recreation Board.

Mayor Kelly asked if there were any comments from the public. Hearing none, in person or telephonically, Mayor Kelly asked if there was any further discussion amongst the Commissioners.

Commissioner Moe commented that the Board was rendered powerless to act due to three resignations. She noted a process to deal with that circumstance.

Mayor Kelly called for the vote.

Motion carried 5-0.

CITY MANAGER

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon updated the Commission on the following:

Operational Update

- The Emergency Operations Center (EOC) is operating in a limited manner. Stakeholder briefings are Wednesdays at 11:00 AM, and core EOC members are meeting Monday/Wednesday/Friday.
 - As of yesterday there were no new COVID-19 cases to report in Cascade County
 - 11 cases total
 - Montana 319 cases
 - 27 of which are hospitalized
 - 6 deaths total in the state
- Operationally this is a very different type of emergency event for local governments
 - It is a slow moving, ongoing, emergent event
 - Not like a fire, or flood event
- Amount of information to local government is overwhelming
 - Changing constantly
 - Federal/State guidance not always clear
 - Local officials are making best decision with the information they have
- Governor Bullock Extended Certain Directives through April 24, 2020 this afternoon
 - Stay at Home Directive
 - Directive providing measures to limit foreclosures, evictions, and disconnections from service and all of its terms are extended through April 24, 2020
 - Mandatory quarantine for certain travelers arriving in Montana from another state or country and all of its terms are extended through April 24, 2020

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- Restrictions for on-premises food and beverage businesses, and the accompanying expansions for delivery and takeout services
- All non-residential public schools in Montana are closed through April 24, 2020

CDBG Financial Notes

- The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds.
- As an entitlement community Great Falls was allocated \$475,515.
- Funding is designed to meet the unique needs of low-to-moderate income persons related to COVID-19 response
 - Building, improvement, facilities
 - Assistance to businesses and economic development assistance
 - Planning, Capacity, Technical Assistance
- Staff is reviewing guidelines
- With regard to Economic Development and small business concerns, Manager Doyon has been directing businesses to seek assistance with GFDA, Great Falls Area Chamber of Commerce, and Montana Department of Commerce
- With regard to questions about property tax relief
 - The City does not assess property values or collect taxes
 - The Commission and City Manager do not have the authority to adopt property tax deferments under current law
 - The MLCT recommends against it

Staff Organization

- Many offices are closed to the public but staff is available to respond via telephone or email
 - He has heard one access concern from the City Commission so far; he encouraged the Commission to let him know if they hear any more
- Many employees are working alternate shifts, alternating in/out office days, or working remotely, or individually – keeping physical distancing
- His focus has been to keep employees productive, and healthy and available for support if and when needed
- He has not closed the Civic Center and would likely not close it unless there were a significant spike in Cascade County cases
- He is trying to minimize disruption

Executive Orders

Executive Order 2020-1 - City Code suspended with regard to parking and residing in recreational vehicles.

Executive Order 2020-2 - City is not shutting off water/sewer/sanitation for nonpayment until 30 days after the declared emergency is rescinded.

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Executive Order 2020-3 - Order suspending multi-animal permit and multiple animal hobby breeder permit inspections.

These orders are designed to assist residents and businesses during this emergency. It does not relieve residents and business owners of their responsibilities under the City Code. The orders provide temporary enforcement reprieve from certain sections of the City Code.

He will continue to consider other relief measures as the virus works its way through the country, state, and city.

Looking Ahead

- HR has been working with labor groups
 - The longer this is drawn out, management may receive requests beyond current contract language
- Budget development
 - He has indicated that the Commission is likely to see a “default budget”
 - Limit increase for this cycle in the general fund, utilities, assessments
 - Anticipated revenue issues (entitlement share, public retirement, taxable values)
 - Not sure how federal aid will translate locally
 - Minimize taxpayer impact

Department Notes

Housing Authority

- Rent numbers are down slightly
- Eviction moratorium is in place
- GFHA is not charging late fees
- Non-COVID related - GFHA received its Capital Fund allocation today also - \$1,085,680.00

Planning & Community Development

- Department is still operating
- Residents and businesses still need to obtain proper permits, inspections and professional licenses as required
- Public can continue to reach staff by phone and/or email

West Bank Bonds

- The City executed a bond purchase agreement authorizing the issuance of \$3.2 million of bonds for the West Bank Urban Renewal District.
- The issuance was for the refunding of the 2009A West Bank Tax Increment Bonds (\$1,470,000) and the West Bank Landing project (\$1,730,000).

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- The bond issuance was within the parameters approved by the City Commission on February 18, 2020 (Resolution 10331).
- The 2009A Refunding Bonds have a projected Net Present Value Savings of \$144,405.22 or 9.59%.
- A final bond resolution authorizing the sale and terms will be presented at the April 21st City Commission meeting.
- The official closing and delivery of the bond proceeds will be April 28th.

City retained its Aa3 bond rating from Moody's

- Aa3 is considered prime investment grade
- 3rd designation below the top investment grade

Public Works – Mike Judge has been named Interim Public Works Director.

Commissioner Tryon inquired if any of the \$475,515 CDBG funds or federal stimulus money recently approved by congress, or a combination thereof, could be designated to provide some kind of relief for local businesses due to the State order to close or that severely restricted their businesses. He suggested deferring tax payments or similar relief for local businesses such as sanitation and water fees to help defray some of the costs to the businesses and their employees who have been laid off.

Manager Doyon responded that he has not been specifically following all of the small business related assistance coming from the federal government. As noted there are entities focusing on resources for small businesses.

CDBG funding is specific to low-to-moderate income-related activities. Some of those businesses may not be eligible for those types of uses.

He hasn't seen or heard anything about tax deferrals. People would need to contact Cascade County if they are concerned about meeting their property tax obligations.

With regard to utility billing relief, Manager Doyon commented that it would be tough to isolate one section of the business community and not provide relief to other residents. Everybody has been affected by the pandemic to some extent. He suggested that the Commission address it during the budget process.

Commissioner Tryon inquired if the federal stimulus money would be coming directly to municipalities. If so, how much money would Great Falls receive and what could it be used for.

Manager Doyon responded that what he thinks the federal government is saying is that the link to communities will be provided via the apparatus that is already in existence that administer grants. He has not heard about an allocation coming directly to the City of Great Falls for any particular relief. He would be surprised to see that.

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Mayor Kelly added that, based on a phone call last week with the National League of Cities and Towns, the \$2.2 trillion dollar bill that is coming down defines a government unit as a state, tribe or municipality that has over \$500,000 people to qualify for funds coming directly to the city. A billion and a quarter dollars will be sent directly to the governor's office to be disbursed.

Commissioner Robinson suggested that struggling small businesses contact their banks directly to apply for funds that are specifically for small businesses.

Commissioner Moe commented that CDBG funds follow a certain process and priorities. She suggested that when the City receives this additional infusion of funds that the process be followed that is in place or make a conscientious decision to tailor it to this particular circumstance.

Mayor Kelly commented that, based on another recent telephone conference he participated in, the CDBG funds will be tightly restricted and will have to be applied to COVID related items that fall under the guidelines that have already been established. The recommendation was to call the local HUD office for guidance.

Commissioner Houck added that the best source of information for small business is SBA.gov to apply for a payroll protection program or other programs.

CONSENT AGENDA.

4. Minutes, March 17, 2020, City Commission Meeting.
5. Minutes, March 23, 2020, Special City Commission Meeting.
6. Total Expenditures of \$2,971,535 for the period of February 29, 2020 through March 25, 2020, to include claims over \$5000, in the amount of \$2,620,527.
7. Contracts List.
8. Approve Final Payment for the Dewatering Pump Replacement project to MJD Contracting in the amount of \$4,849.73, and \$48.99 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1731.2**
9. Approve Final Payment for the Public Works Facilities Repairs on Central Garage, Streets and Sanitation Buildings including Siding and Windows to James Talcott Construction, Inc. in the amount of \$41,039.39, and \$414.54 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1733.5**
10. Approve Final Payment for the Great Falls Public Library Air Handler Replacement in the amount of \$15,472.21 to McKinstry Essention, LLC and \$156.29 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1621.2**

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11. Set a public hearing for April 21, 2020 to consider a lease agreement of City owned property located in Grande Vista Park with the Westside Little League Association.
12. Set a public hearing for April 21, 2020 to consider a lease agreement of City owned property located at 38th Street North and 10th Ave with the Americans Little League Association.
13. Set a public hearing for April 21, 2020 to consider a lease agreement of City owned property located in Sacajawea Park and Riverside Little League Park with the Riverside Little League Association.
14. Approve the minor subdivision of the First Supplement to Hillside Tract as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.
15. Approve the submission of an application for an Assistance to Firefighters Grant to assist in the purchase of a new fire ladder truck.
16. Approve the submission of an application for an Assistance to Firefighters Grant to assist in the purchase of safety and decontamination equipment to remove diesel exhaust from all of the fire station bays and products of combustion for firefighting equipment.
17. Postpone consideration of the pending motion on Resolution 10333, regarding the adoption of an Energy Response Task Force indefinitely.

Commissioner Moe moved, seconded by Commissioners Robinson and Tryon, 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.

City Clerk Lisa Kunz noted that **Jeni Dodd**, 3245 8th Avenue North, submitted written correspondence today pertaining to Agenda Item 17. In summary, Ms. Dodd expressed support of the motion to postpone indefinitely, and she is opposed to Resolution 10333.

Commissioner Moe referred to the March 17, 2020, Commission Meeting Minutes, Item 8 pertaining to the City Manager's report that stated: "Teleconferencing was utilized for this meeting to accommodate some Commission members." She added that the reason some of the Commission members chose not to attend was due to concerns about protecting public health.

With regard to Items 11-13, she requested clarification be presented at the public hearing about the difference in deductibles for each Little League lease agreement, and that she has a concern about pro-rating the fee based upon the current pandemic.

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Commissioner Houck noted her support for the postponement of Item 17, but hoped that it doesn't go away. The intention is to poise the City to be nimble and to be able to respond to climate related changes such as the urban rural interface fires and some flooding to help the City be in a better situation five to 10 years from now if pre-planning is done in the next year or two.

Commissioner Moe again referred to the March 17, 2020, Commission Meeting Minutes, Item 25, pertaining to Commissioner Tryon's suggestion that the public safety town hall format continue at the Neighborhood Council level. She does not want the inference to be drawn that would be the next step because the Commission has promised other entities that it would continue with a community-wide conversation.

Richard Liebert, 289 Boston Coulee Road, phoned in and commented that CCE supports the postponement of Resolution 10333.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

18. **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 this agenda item is a request to conduct a public hearing on Ordinance 3211. Planning and Community Development, Engineering and Environmental Divisions of Public Works have been working on some recommendations for specific code changes that are designed to make development in Great Falls cheaper and easier. We are also recommending changes that will make the code itself better organized and user friendly.

Ordinance 3211 significantly restructures and organizes the layout of the code so that it is easier to navigate and understand code requirements based on the type of use. Whether that be single family residential, multi-family residential, commercial or industrial. 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 to include stone and boulder features in addition to art and sculpture placement in lieu of green landscape material. Developers are encouraged to incorporate storm water facilities into the landscape design which will offer cost savings in the development. Staff has presented findings and recommendations to the community and have received favorable comments to this point.

Mayor Kelly asked if the Commissioners had any questions.

Commissioner Moe inquired if, by approving this Ordinance, the requirement for the number of trees would be reduced. Director Raymond responded in the affirmative.

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Mayor Kelly declared the public hearing open.

No one spoke in person or telephonically, or submitted any written communication in favor of or in opposition to Ordinance 3211.

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

Commissioner Tryon moved, seconded by Commissioner Robinson, that the City Commission adopt Ordinance 3211.

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

Commissioner Moe read, in part, correspondence she received from a resident expressing opposition to reducing the number of trees required, and noted that there is prolific research on the benefits of growing more trees in an urban setting especially at this time of climate uncertainties.

Commissioner Tryon congratulated Director Raymond and staff for all of the hard and necessary work they are doing in this development review process. He commented that adoption of this Ordinance will help development in the City.

Commissioner Houck commented that a developer could choose to plant more trees than the requirement. She expressed concern about lowering the standard, considering how many trees were damaged in the last two years. Based on surveys, the community supports aesthetics in the parks and trees in the community.

Commissioner Moe suggested a better approach would be to reserve the standards that are in place for the beauty and health of the community.

Commissioner Robinson pointed out that adoption of the Ordinance pertains to new development.

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

Motion carried 4-1 (Commissioner Moe dissenting).

19. 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 the requested action is to conduct a public hearing on Ordinance 3212. In keeping with the previous agenda item, staff also reviewed Appendix B which contains the “List of Required Trees for Boulevard Areas and Street Medians”. Throughout the years, discussion has occurred between Planning staff and the City Forester about the types of trees on this list. Several trees on the current codified list are prohibited by the City Forester because of threat of disease and insect infestation. Other trees have been allowed and should be added to the list to create more options for developers and homeowners.

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During the last few years, tree substitutions have also been approved based on availability from local suppliers. Therefore, staff proposes to repeal the Appendix so that these decisions to amend the list can be made at any time, and codification of a new list is not required in the future.

Staff has presented findings and recommendations to the community and have received favorable comments to this point.

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

No one spoke in person or telephonically, or submitted any written communication in support of or in opposition to Ordinance 3212.

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

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Ordinance 3212.

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

Motion carried 5-0.

20. **C.M. RUSSELL MUSEUM PROPERTY REZONE AND VACATION OF THE RIGHT OF WAY OF 5TH AVENUE NORTH BETWEEN 12TH STREET NORTH AND 13TH STREET NORTH.**

A. Ordinance 3214, Rezoning the properties legally described as the South 85' of Lot 8, Block 180 and Lots 8-14, Block 179 of the Great Falls Water Power and Townsite Company's First Addition from Single-family High Density and Neighborhood Commercial to Public Lands and Institutional.

B. Resolution 10340, Vacating 5th Avenue North between 12th Street North and 13th Street North; and approving a Non-Administrative Plat to aggregate several of the properties.

Planning and Community Development Director Craig Raymond reported that the requested action is to conduct a public hearing on Ordinance 3214, which if approved will rezone certain property legally described as the South 85' of Lot 8, Block 180 and Lots 8-14, Block 179 of the Great Falls Water Power and Townsite Company's First Addition. Also being considered is Resolution 10340 which provides for a right-of-way vacation of a portion of 5th Avenue North. These actions are to accommodate an expansion of the CM Russell Museum.

Over time, the Russell has been acquiring properties adjacent to the museum property to potentially expand their facility. While they continue to go through a master planning process, they already have identified certain steps they would like to take at this time to consolidate the various properties

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and make improvements while keeping an eye towards the future as well. To this end, the museum has demolished the existing structures on the properties they intend to redevelop.

In order to prepare for current and future redevelopment plans, they are asking for Commission approval to rezone these properties to the north of 5th Avenue North from R-3 Residential High Density to Public Lands and Institutional to match the current museum zoning designation.

The applicant is also seeking to vacate that portion of 5th Avenue North between 12th & 13th Streets North to facilitate this consolidation and expansion. The Russell owns both sides of the right-of-way being vacated. While it is anticipated that existing City utilities may have to be relocated to accommodate the eventual expansion, utility easements will have to be granted to protect existing City utility facilities until such time they are abandoned. In the event that utility mains will need to be relocated, the Russell will be responsible for all design and construction costs associated with the project.

Mayor Kelly asked if the Commissioners had any questions.

Commissioner Tryon inquired if the applicant had a timeline that required the Commission to act on this item immediately. Director Raymond responded that is not the case. He added that he is expecting the applicant or a representative of the Russell to be calling in.

Applicant, **Thomas Figarelle**, Executive Director of the C.M. Russell Museum, 400 13th Street North, appeared telephonically. Mr. Figarelle reported that this project has been a long term vision of the Museum. It was in the early 1990's when the Museum began acquiring properties across from 5th Avenue North, between 12th and 13th Street, always with the intent to maximize the visitor experience. The opportunity arose last year when a donor generously offered to provide funding allowing the Museum to acquire the final lot across from the property. The purchase of that property closed last summer. The Museum is in the process of a comprehensive master plan that has multiple phases. If the Commission votes favorably this evening the Museum has the funding necessary to begin the work, both outside and inside the current facility. He explained that the art collection is world class, and that the facility suits the needs but it is not of the same standard that the collection is. They have a bold vision of redeveloping the campus in such a way that it inspires on the same level of many of the art works in the collection. The proposals before the Commission are necessary for the Museum to realize that vision, both on a near term and a long term basis.

Mayor Kelly asked if the Commissioners had any further questions.

Commissioner Tryon inquired if there was an immediate need for action to move forward.

Mr. Figarelle responded that a donor commitment is pending with the funding. If the Museum has the necessary approval, they can begin finalizing bids and going through the process to commence construction activity in the not so distant future.

Mayor Kelly asked Mr. Figarelle to explain the Museum's communications with its neighbors who would be mostly affected by it.

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Mr. Figarelle responded that, after the property was purchased at 1221 5th Avenue North, a memo was distributed to the neighbors within a three block radius of the Museum informing them of the plans to remove the structures on that property and then will be proceeding down a path for the necessary paperwork for these requests. After the structures were removed, a public notice was posted and another memorandum was distributed informing the neighbors that the necessary paperwork was filed and a public hearing was pending. They then had another meeting with residents within a one and one-half block radius of the Museum to discuss broadly what their intentions were with regard to the north side of the campus and to take questions, and to discuss opportunities for the neighborhood about a design that enriches everyone's life and living in Great Falls, whether living in that neighborhood or not. People were invited to be formal members of a task force that was commissioned by the Board of Directors to develop the campus master plan. They also attended one Neighborhood Council meeting in 2019 and one in 2020. There was great dialogue with the neighbors and it seemed to be well received.

Mayor Kelly declared the public hearing open. No one spoke in support of or in opposition to Ordinance 3214 and Resolution 10340.

Jeni Dodd, 3245 8th Avenue North, called in to inquire if an historical evaluation was conducted prior to the three houses being torn down and if a demolition permit was issued.

In response to caller Jeni Dodd, Director Raymond clarified that the contractor did obtain the necessary permits; and that the Historic Preservation Office did review the application and signed off on the permit. The demolished houses were not on the historic register nor were they a collection of properties that were part of an historic district.

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

Commissioner Tryon expressed concern that enough people have not weighed in. Because of the current circumstances, he suggested that another public hearing be scheduled.

City Attorney Sara Sexe reviewed portions of Rule 8.10 of the City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings.

Commissioner Tryon moved that the City Commission conduct a second public hearing on this issue at such a time as the Commission is once again in the Commission Chambers and the public has more of a reasonable opportunity to comment and consider this item.

The motion failed for lack of a second.

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission adopt Ordinance 3214 and the accompanying Findings of Fact/ Basis of Decision subject to the Conditions of Approval being fulfilled by the applicants.

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

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Commissioner Moe commented that no new relevant information was raised at this meeting for the Commission to set a second public hearing. The information she heard was that it was more time sensitive than she thought. There have been opportunities for the public to comment and she is in support of this project moving forward.

Commissioner Tryon commented that the new information is that the public has been dissuaded to not go out in public due to the stay at home orders in place.

Commissioner Houck applauded the donor and the Russell's efforts in continuing to talk with its neighbors. Ironically, it is a good time to get something done. The Museum brings in a lot of tourism into the community.

Mayor Kelly commented that there has been a lot of publicity about this project, and the public was provided extra opportunity to participate by a phone call and email.

Commissioner Robinson provided historical information pertaining to preserving the studio of Charlie Russell after his death, and commented that he is a proponent of outside monies coming into the community due to its art events. If this item is approved it will create jobs in Great Falls.

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

Motion carried 5-0.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10340 vacating 5th Avenue North between 12th Street and 13th Street North.

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

Motion carried 5-0.

Commissioner Moe moved, seconded by Commissioner Houck, 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 applicants.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

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CITY COMMISSION

21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly announced that there will be a week-long community food drive to supply food to the Rescue Mission, Center for Mental Health, Juvenile Detention Center, as well as to try to restock our local school pantries beginning Monday, April 13th through Saturday, April 18th.

Commissioner Moe thanked IT staff for making the Zoom meeting possible, and expressed appreciation to the City Manager. She announced that The Goodwill would prefer that people hold off on making clothing donations until the business is reopened, and she encouraged blood donations for the Red Cross.

Commissioner Houck warned people about the many scams going on during this time.

Mayor Kelly expressed appreciation to IT and Clerk's Office staff for making these meetings work, and to the public for its patience during this unprecedented time.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Robinson moved, seconded by Commissioner Moe, to adjourn the regular meeting of April 7, 2020, at 9:13 p.m.**

Motion carried 5-0.

Mayor Kelly

City Clerk Lisa Kunz

Minutes Approved: April 21, 2020