

JOURNAL OF COMMISSION PROCEEDINGS
May 19, 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; Assistant Fire Chief Jeremy Jones; Public Works Environmental Manager Paul Skubinna; Park and Recreation Director Steve Herring; Planning and Community Development Director Craig Raymond; City Attorney Sara Sexe; and, Police Chief Dave Bowen. Participating electronically via Zoom: Housing Authority Executive Director Greg Sukut and City Engineers Jim Young and Jesse Patton.

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, May 19, 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: City Manager Greg Doyon recommended the City Commission pull Item 8 from the Consent Agenda. There were no proposed changes to the agenda by the City Commission. The agenda was approved with Consent Agenda Item 8 removed for future consideration.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/BOARDS AND COMMISSIONS

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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Daniel Hartzell, 609 Central Avenue, discussed a statement he prepared for the Board of Education.

Appearing telephonically were **Cal Rider**, 32 Prospect Drive, and **Gayle Gregovich**, 2609 5th Avenue North. Both expressed opposition to NorthWestern Energy's attempt to purchase the Coalstrip coal-fired power plant.

Commissioner Robinson provided an update on the Complete Count Committee's (CCC) activities for Census 2020. He expressed appreciation to Library Director Susie McIntyre for her assistance in writing and submitting two grant applications that resulted in awarded funds to the CCC.

2. APPOINTMENTS/REAPPOINTMENT TO THE HOUSING AUTHORITY BOARD OF COMMISSIONERS.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission appoint Rosalie Kiernan to a five-year term through June 30, 2025, appoint Douglas Spence to the remainder of a five-year term through June 30, 2021, and reappoint Terri Sullivan as a Tenant member for a two-year term through June 30, 2022 to the Great Falls Housing Authority Board of Commissioners.

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

Commissioner Moe inquired if a vacancy remained on this Board.

Housing Authority Executive Director Greg Sukut responded that the application process is still open for a tenant member.

There being no further discussion, 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 municipal areas still closed to the public: the utility billing window, Planning and Community Development, Public Works, Water Treatment Plant, as well as multi-sports and the pools. The Great Falls Animal Shelter is by appointment only.

He reported that Governor Bullock announced Phase II of the reopening plan and some of the lifted restrictions that begin June 1st.

Manager Doyon reported that the Great Falls Animal Shelter assisted and provided support to the Cascade County Sheriff's Office with the recent animal hoarding case reported in the news. Many of the animals were relocated to the Expo Park. Reimbursement costs are being determined.

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CONSENT AGENDA.

4. Minutes, May 5, 2020, City Commission Meeting.
5. Total Expenditures of \$4,765,349 for the period of April 15, 2020 through May 6, 2020, to include claims over \$5,000, in the amount of \$4,538,322.
6. Contracts List.
7. Approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$745,000.
8. ~~Approve the Professional Services Agreement, Amendment No. 2 increasing the agreement amount by \$7,625.00 between the City of Great Falls and Black and Veatch Corporation for engineering services on the Water Treatment Plant Facility Upgrades Project for a total fee not to exceed \$7,044,989.00, and authorize the City Manager to execute the Amendment. **OF 1519**~~
9. Approve the purchase of a precast concrete restroom from CXT, Inc. an L.B. Foster Company of Spokane, WA through Sourcewell, formerly known as NJPA, for \$151,208 to be placed in Oddfellows Park. **OF 1740.4**

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission approve the Consent Agenda as presented.

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

Commissioner Robinson referred to Item 9 and inquired where the restroom will be placed in Oddfellows Park.

Park and Recreation Director Steve Herrig responded that the new precast ADA accessible restroom will replace the current facility at the same location.

Commissioner Houck inquired how long the park would be without a facility.

Director Herrig responded that delivery could take 180 days, plus an additional 30-45 days to connect to City services.

Commissioner Houck asked if that would cause any issues or conflicts with park reservations.

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Director Herrig responded that timeframe has been blocked out. Portable restrooms could be set up for smaller rentals, and some events could schedule at other parks.

Mayor Kelly commended Shyla Patera for her commitment to communicating with the City about focusing on ADA compliance.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

10. **RESOLUTION 10345, ADOPTING THE CITY OF GREAT FALLS EXTENSION OF SERVICES PLAN.**

Planning and Community Development Director Craig Raymond reported that this item is consideration of Resolution 10345, adopting the Extension of Services Plan for the City of Great Falls.

This document has been in the works for some time and completed as part of the development review process. Multiple departments contributed to the document including, but not limited to, Public Works, Police, Fire, Planning and Community Development and the Legal department.

The essence of the document is to put in writing those policies that manage annexation and the extension of municipal services upon annexation into the City limits. The plan also formalizes the policies for cost share of utility oversizing, which has been a practice for years when new utility services are installed. The City desires to plan for and accommodate future growth of the City beyond the boundaries of the existing corporate limits. The Extension of Services Plan looks at a 5-year window of anticipated future growth. Although every effort is made to forecast accurately, situations both detrimental and beneficial can affect the actual growth experienced over the next five years. Additionally, great opportunities can't always be predicted that may arise, therefore staff acknowledges that the City should strive to remain flexible in order to seize unanticipated opportunities that come our way.

Staff has presented findings and recommendations to the community and has received favorable comments to this point. This document has also been publicly vetted by the Planning Advisory Board with constructive questions and comments taken into consideration. The Planning Advisory Board recommended that the City Commission adopt Resolution 10345.

Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10345 adopting the City of Great Falls Extension of Services Plan.

Mayor Kelly asked if there were any comments from the public, in person or telephonically.

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

Commissioner Tryon inquired what the process is for future amendments to Items 10 and 11.

Director Raymond responded that staff can handle periodic amendments to the documents going forward. The request is for the Commission to adopt the initial plan.

Commissioner Tryon inquired about the input and general response from local stakeholders to Items 10 and 11.

Director Raymond responded that both documents were posted publicly on the City's website, and staff actively solicited the documents to members of the development community to meet with staff and provide feedback directly.

Commissioner Moe read the first sentence of number 2 on page 34 of the Plan. She inquired what recourse the Neighborhood Council citizens have for the City to weigh in about the proposed slaughterhouse, which she believes is outside the urban growth boundary.

Director Raymond responded that there is specific statutory language for subdivision review outside of the City limits. The County has to send the City notification and give the City the opportunity to respond. That review is limited to subdivision land use applications and not other types of development.

Commissioner Moe further commented that fire, street maintenance, water and storm water management come into play with the consideration of the slaughterhouse. The only language in the Plan pertaining to that is to ask the Cascade County Commission to review those services. She reminded the Commission that the City Commission asked the State and the County to look at those services as they relate to the slaughterhouse at the March 3rd meeting and followed up with a letter after the last meeting, and the Commission has not heard back from either body. She concluded that she regards the language as somewhat toothless.

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

Motion carried 5-0.

11. **RESOLUTION 10346, ADOPTING THE CITY OF GREAT FALLS STANDARDS FOR DESIGN AND CONSTRUCTION.**

Planning and Community Development Director Craig Raymond reported that this item is consideration of Resolution 10346 which will adopt the City's first set of standards for private construction of public facilities.

The primary purpose of this document is to provide a high level of predictability and certainty to developers as to what standards they will be required to design and build to when they are planning private development within the Great Falls city limits.

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The manual generally provides details and specifications for design and construction of water, sanitary sewer, storm sewer, streets and sidewalks.

Many standards are derived from state and federal laws and standards, and cities have numerous opportunities to adopt specific details and standards that reflect local climate, material availability and construction practices. The level of variability from one city to the next can have a significant effect on cost of design and construction and unnecessary project delays. This document aims to provide a clear path towards project approval and success.

Staff has worked with engineers and developers within the local development community in the development and vetting of this document. Staff appreciates their commitment of time and professional judgement in evaluating the manual.

At its meeting on March 10, 2020, the Planning Advisory Board recommended that the City Commission adopt the City of Great Falls Standards for Design and Construction.

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10346 adopting the City of Great Falls Standards for Design and Construction.

Mayor Kelly asked if there were any comments from the public, in person or telephonically. Hearing none, Mayor Kelly asked if any written communication was received by the City Clerk.

City Clerk Lisa Kunz responded affirmatively, and read **Shyla Patera's** (1013 7th Avenue NW) written comments in support of the adoption of Resolution 10346.

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

Commissioner Tryon commended Director Raymond for his work on the development process issues. This document provides predictability and certainty for developers in the community. He took exception to a comment Commissioner Moe made about the prior agenda item, and added that the documents were not written with a specific project in mind, and he hopes the City is not going to use a proposed private development outside of city limits as the standard now for judging every development, City ordinance or policy.

Deputy City Manager Chuck Anderson and the Public Works Engineering staff were also recognized for their efforts and work on these documents and improvements to the development review process.

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

Motion carried 5-0.

CITY COMMISSION

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12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly reported that Governor Bullock announced that Phase II reopening begins June 1st. He inquired the Commissioners' thoughts about meeting in the chambers for the meetings on June 2nd. The majority of the Commission members favored that idea with the appropriate precautions in place per the Governor's guidelines.

Commissioner Moe clarified that her "toothless" comment regarding Item 10 was to the extent that the City needs to have relationships with the County and State in which the concerns that the City Commission raised with them be addressed timely and meaningfully.

Commissioner Houck suggested that if the Commission goes back to live meetings that the public still be allowed to call in if they cannot leave their homes.

Commissioner Moe also suggested alternative arrangements be considered should more than 50 people attend a Commission meeting.

Commissioner Houck commented that there is help with resources and social service programs in the community for anyone not in a safe living situation.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of May 19, 2020, at 7:57 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: June 2, 2020