

**JOURNAL OF COMMISSION PROCEEDINGS**  
**October 6, 2020**

Regular City Commission Meeting

Mayor Pro Tempore Moe presiding

**CALL TO ORDER:** 7:00 PM

Civic Center 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; Interim Fire Chief Jeremy Jones; Park and Recreation Director Steve Herrig; Public Works Director Paul Skubinna; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

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 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 Commission Chambers according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, October 6, 2020, to: [commission@greatfallsmt.net](mailto: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. 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.

**PETITIONS AND COMMUNICATIONS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Mike Witsoe**, City resident, appeared telephonically, and commented in opposition for various reasons to the commitment of the City Commission to move forward with a new aquatics facility.

**NEIGHBORHOOD COUNCILS**

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## 2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

### BOARDS AND COMMISSIONS

## 3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Robinson reported that the census count was extended to the end of this month. Montana has achieved 98.5% of the estimated count. It has been difficult for the Indian Reservations due to Covid-19 closures, but they have started drive-through reporting. Commissioner Robinson concluded that he will provide a final report in November.

### CITY MANAGER

## 4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported on the following:

- City Prosecutor Mark Dunn received an award from the Cascade County DUI Task Force recognizing his work in prosecuting DUI cases. From March 2019 to March 2020 the Legal Department prosecuted 161 DUI cases.
- Ten proposals were received in response to the Request for Proposal (RFP) for the Indoor Recreation & Aquatics Facility. A committee will review and rank each proposal separately, and the top three proposals will be scheduled for an interview. Due to a lot of questions being asked about this project a Q & A or commonly asked question section will be added to the Park & Recreation webpage. With regard to funding the City's match of the \$10 million dollar grant with Park District funding, bond counsel would have told the City long ago if that was not an appropriate use of those funds for that purpose.
- The United States Air Force (USAF) issued its intent to begin an Environmental Impact Study (EIS) on Ground Based Strategic Deterrent (GBSD) project.
- The spread of Covid continues within City departments with one active case and 12 employees quarantined. He suggested the Commission have a conversation about the continuation of virtual meetings to limit exposure.
- He has been meeting with the Malmstrom Air Force Base TIGER teams on issues of racial discrimination, and connected them with local African American leaders and representatives from the Montana Defense Alliance military affairs committee.
- October 23<sup>rd</sup> - 25<sup>th</sup> he hosted a virtual/in person ICMA conference that included a panel discussion on race relations in Montana. Marcus Collins, Lanni Klasner and Rob Moccasin participated in the panel facilitated by Shane Etzweiler. Other Montana city managers greatly benefitted from the discussion. He is exploring opportunities to engage the Neighborhood Councils on this subject.

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- The City is seeking applicants for two openings on the Board of Adjustment and Appeals, and one three-year position and one alternate member position on the Ethics Committee.

Mayor Pro Tempore Moe inquired if the Commission members had any questions.

Commissioner Tryon noted that he has received a lot of questions and heard misconceptions and concerns about the Indoor Recreation & Aquatics Facility. He inquired about how and when the questions and issues would be vetted publicly.

Manager Doyon commented that there was a tight timeframe from when the Commission authorized staff to submit the grant application, knowing that the City would be committing Park Maintenance District dollars. He discussed site control and proximity to Malmstrom Air Force Base being an important part of scoring. After the Commission takes action on selecting a consultant may be a good time to have that discussion.

Commissioner Tryon inquired if it was a requirement to have a shovel ready site or one within proximity to MAFB, or both.

Manager Doyon responded that control over the property for the site was a requirement, and that proximity was a function of operation. In order for the facility to be used as pitched it must be readily accessible to the airmen and their families at Malmstrom.

Mayor Pro Tempore Moe concurred that a frequently asked questions section on the website would be helpful.

### **CONSENT AGENDA.**

5. Minutes, September 15, 2020, City Commission Meeting.
6. Total Expenditures of \$4,420,528 for the period of September 1, 2020 through September 23, 2020, to include claims over \$25,000, in the amount of \$3,628,031.
7. Contracts List.
8. Renew the Mutual Aid and Assistance Agreement for Water and Wastewater Utilities and authorize the City Manager to execute the document.
9. Approve the Esri Small Enterprise Agreement for County and Municipal Government in the amount of \$153,000 total over a three-year term and authorize the City Manager to execute the Agreement documents.
10. Award a construction contract in the amount of \$217,345 to WVH Enterprises, LLC, for the Great Falls Fire Station No. 4 Phase 2 Renovation project, and authorize the City Manager to execute the construction contract documents. **OF 1727.5**

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11. Set a public hearing for October 20, 2020 to consider a lease agreement of City owned property located in Wadsworth Park with the Electric City Archers of Great Falls.
12. Set a public hearing for October 20, 2020 to consider a lease agreement of the north portion of City owned property located in Community Hall Park with River City Harvest.
13. Set a public hearing for October 20, 2020 to consider a lease agreement of the south portion of City owned property located in Community Hall Park with Sunburst Unlimited Incorporated.

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

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

Commissioner Robinson referred to Item 10 and commented that Fire Station 4 has been closed going on 10 months. He inquired the timeframe for project completion.

Manager Doyon responded February, 2021. Interim Fire Chief Jeremy Jones provided information pertaining to what has been working well with regard to staffing during peak call times to offset the impact to that area during the construction phase. Project completion is anticipated in February, but the contractor is concerned about getting material and supplies in a timely manner.

Commissioner Robinson commented that the plan has worked well, and he complimented the Fire Department for a remarkable job of taking care of the City's fire rescue needs using only three of the City's four facilities. He inquired if any of the other three fire stations had problems to this degree.

Interim Fire Chief Jones updated the Commission on work completed at other facilities, and concluded that staff is making a plan to address Fire Station 2 in the future.

There being no further discussion, Mayor Pro Tempore Moe called for the vote.

Motion carried 5-0.

### **PUBLIC HEARINGS**

14. **TURBO TRANSPORTATION GROUP LLC ANNEXATION AND ZONING REQUEST OF TRACT 1B OF CERTIFICATE OF SURVEY NO. 5077 AND THE ADJOINING RIGHT OF WAY OF JASPER ROAD; MINOR SUBDIVISION OF DOUBLE T ESTATES.**

**A) Resolution 10372, to annex Tract 1B of Certificate of Survey No. 5077 and the adjoining right-of-way of Jasper Road; minor subdivision of Double T Estates.**

**B) Ordinance 3224, to assign C-3 Highway Commercial zoning for Lots 1-3 and R-2 Single-family Medium Density for Lot 4 of Double T Estates.**

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City Attorney Sara Sexe reported that, because she is a resident of the area, Assistant City Attorney Joe Cik is in attendance to advise the Commission on this matter.

Mayor Pro Tempore Moe declared the public hearing open and asked for presentation of the staff report.

Planning and Community Development Director Craig Raymond reported that this item is a public hearing on Resolution 10372 to annex certain property and rights-of-way as legally defined in the agenda report, approve of a four lot subdivision and Ordinance 3224 which, if approved, will assign C-3 zoning to proposed lots 1-3 and R-2 zoning to lot 4.

The proposal is multi-faceted and proposed to be completed in phases. The applicant, Turbo Transportation Group, LLC, is proposing annexation of a four lot minor subdivision, and establishment of zoning for Tract 1B of Certificate of Survey No. 5077. The subject property is approximately 40.77 total acres. The property is currently undeveloped land located within Cascade County adjacent to the City limits on the west side of Great Falls near the airport and Highway 15 and between Denny's and the Crystal Inn and the Belleview Palisades residential subdivision.

Phase 1 includes development of Lot 1 of Double T Estates as a truck wash facility. Future phases are expected to include development of a truck repair facility and offices for Turbo Transportation Group on Lot 2, and a 180-unit mini-storage facility on Lot 3. The draft maps attached to the agenda report depict the three commercial uses being proposed at the very western portion of the property adjacent and nearest to other existing and similar commercial uses. As such the configuration and zoning of C-3 is most appropriate. The proposed lot 4 is intended to be a multiple lot residential subdivision. It is not known at this time precisely how many lots will be proposed for future development. Until it goes through a specific and subsequent review and public hearing process before the Planning Board and City Commission, the land will remain undeveloped but zoned as R-2 Single Family Medium Density zoning. What is known at this time is that the absence of a specific plan for lot 4 is creating some concern and the Commission should consider some alternative options rather than a simple approval or denial of the presented application. Some options to consider are:

- 1) Table any further discussion and a decision on the matter until a date certain in the hopes that the applicant will apply for and receive a subdivision in the county and then amend the original application with the City for annexation and zoning of the currently proposed lots 1-3 (roughly 14.8 acres) only for consideration.
- 2) Staff has discussed with the applicant the possibility of granting an approval but with the condition that a no-build easement or deed restriction be placed on Lot 4 until such time that a detailed plan is brought forth and approved.

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As is the case with virtually all necessary public improvements that are needed to support commercial and residential annexations and developments, the applicant and developer will be required to fund all public utilities and roadway infrastructure.

Spencer Woith, Woith Engineering, residing at 3300 Jasper Road, representing the owners, reported that this project is unique. They attempted to subdivide in the County. Because it is a 4-lot subdivision, it brought certain issues associated with the county regulations that were legit for a normal county subdivision, but didn't make sense for this project because the intent all along was to annex the entire property. Because it is one parcel it has to be treated as one parcel. By zoning R-2 on the 26-acre lot 4, without going through a subdivision process, the county could only allow one residence on that entire parcel.

Their development plans for lots 1, 2, and 3 have enough detail to move forward. In looking at a good way to move forward with a good plan for lot 4, they had a number of meetings with City staff about connectivity, ingress/egress, infrastructure and storm drainage. The intention was to annex the entire parcel. The City can't annex and zone only three of the four lots. Their primary business right now is moving forward on lots 1, 2, and 3 with the understanding that they will come back with a plan for lot 4.

If it makes the Commission more comfortable, the owners are okay with putting a no-build construction restriction on lot 4 at this time knowing that they need to come up with a plan and bring it back before the Commission with all of the details worked out.

Mayor Pro Tempore Moe asked if the Commission members had any clarifying questions.

Commissioner Tryon inquired if Turbo Trucking was a local company and responded to in the affirmative. Commissioner Tryon understands the truck wash, offices, repair and mini-storage facilities, but is curious why Turbo Trucking wants to get into residential development.

Mr. Woith responded that is part of why he is involved and the lot 4 details still need to be worked out.

Mayor Pro Tempore Moe inquired the anticipated length of time for clearer plans for lot 4.

Mr. Woith responded about six months to present to staff for review.

Mayor Pro Tempore Moe inquired the anticipated timeframe for completion of the truck wash, offices, truck repair, and the storage units.

Mr. Woith responded that they would like to start the truck wash this fall.

Mayor Pro Tempore Moe inquired if completion of each project took into account the traffic impact at the Fox Farm intersection.

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Director Raymond responded that, since this project is primarily a trucking facility it is hard to know what the dispersal percentage will be. He does anticipate that some of the traffic will come through the Fox Farm intersection.

Mayor Pro Tempore Moe inquired if Director Raymond's alternatives were contained in the Agenda Report for this item and the response was no.

Commissioner Tryon inquired what the applicant would do if the owners received approval this evening, but for whatever reason the plan for lot 4 doesn't get approved.

Director Raymond responded the lot could remain vacant.

Mr. Woith added that it is definitely a risk at this point moving forward with this process. It would be a one lot, 26-acre residential household in the city. It puts the onus on the owner and designer to move forward with an acceptable plan. If the plans for lot 4 didn't get approved, they would pay higher taxes because they chose to go with the City annexation process.

Without having a complete plan, Commissioner Houck expressed concerns about the 84-units proposed for lot 4. She inquired if there have been discussions with other advisory groups or entities.

Director Raymond responded that this item has gone through a public hearing with the Planning Advisory Board/Zoning Commission. The Board recommended approval as submitted. It has also been before the Neighborhood Council that recommended approval as well.

Commissioner Houck inquired if the Planning Board or Neighborhood Council considered the alternative options.

Director Raymond responded that the Board and Council were fine with the item as submitted. The recommended alternatives came up more recently out of concerns for lot 4.

Mayor Pro Tempore Moe asked if there were any public comments in support of Resolution 10372 and Ordinance 3224.

Appearing telephonically in support of Resolution 10372 and Ordinance 3224 was **Brett Doney**, Great Falls Development Authority (GFDA), 405 3<sup>rd</sup> Street NW, Suite 203. Mr. Doney commented that this project is important to grow and diversify the manufacturing and logistics industries. He reminded the Commission that the residential subdivision question is not before the Commission for consideration this evening.

Speaking in opposition to Resolution 10372 and Ordinance 3224 was:

**David McClendon**, City resident, expressed opposition to Jasper Road being an easement right for Lot 4.

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Mr. Woith clarified that an easement on Jasper Road had been established for the Bel-View Palisade subdivision. With this application, the City is requesting to set aside an easement for a connection to Jasper Road, if it is determined by the City at any point in the future they want lot 4 connection to Jasper Road.

Mayor Pro Tempore Moe closed the public hearing and asked the will of the Commission.

**Commissioner Robinson moved, seconded by Mayor Kelly, that the City Commission adopt Resolution 10372 to annex Tract 1B of Certificate of Survey No. 5077 including the adjoining right-of-way of Jasper Road and the accompanying Findings of Fact/Basis of Decision, and approve the Improvement Agreement, all subject to the Conditions of Approval being fulfilled by the applicant.**

Mayor Pro Tempore Moe asked if there was any discussion amongst the Commission members.

Commissioner Tryon commented that he was uncomfortable moving forward right now without considering more closely the alternative options of Director Raymond, without transparency in knowing who is involved in this project, and what the owner's expectation will be down the road for the 84-unit subdivision if this is approved tonight.

Commissioner Robinson commented that the biggest argument he has heard against City government is that the City Commission reacts too slowly to development. This is a company that has an idea of developing a commercial property for a trucking center, offices, repair and mini-storage facilities. That is what is being considered tonight. The other part of the land they don't know exactly how it will be developed but they need it zoned so that they can sell the land to a developer who is interested in developing it. The Commission doesn't need to know what the development looks like at this point. The Commission needs to look at the development as a commercial development on three lots, move forward with allowing the development, be happy for the additional taxes and for the additional development, and in knowing that something will be coming down the line even though the details are not known yet. He doesn't believe the owner would want to bring the property into the City limits without developing it.

Commissioner Tryon noted his support of the commercial development.

Mayor Kelly agreed with Commissioner Robinson's summary. This is a complex combination of county zoning regulations and requirements versus the need to annex this property in whole to make it go seamlessly further down the road. We have heard from the potential developer that he understands that there are a lot of restrictions that have been put in place by the City regarding access, fire ingress and egress, road connectivity, and infrastructure. There is nothing to preclude any kind of entity from owning real estate and developing it. The developer has the onus of presenting a plan that the Commission can publicly hear, discuss and vote on. It will create a better tax base for the City. He appreciates all of the players' cooperation.

Mayor Pro Tempore Moe commented that she had concerns about the unknown nature of lot 4, and alternatives being given at the meeting that were not included in the agenda report.



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There being no further discussion, Mayor Pro Tempore Moe called for the vote.

Motion carried 5-0.

**Commissioner Robinson moved, seconded by Commissioner Tryon, that the City Commission approve the minor subdivision of Tract 1B of Certificate of Survey No. 5077 as legally described in the staff report and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.**

Mayor Pro Tempore Moe asked if there was any further discussion amongst the Commission. Hearing none, Mayor Pro Tempore Moe called for the vote.

Motion carried 5-0.

**Commissioner Robinson moved, seconded by Mayor Kelly and Commissioner Tryon, that the City Commission adopt Ordinance 3224 to assign C-3 Highway Commercial zoning for Lots 1-3 and R-2 Single-Family Medium Density zoning for Lot 4 of the proposed Double T Estates Subdivision and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.**

Motion carried 5-0.

**15. LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF MONTANA ANNEXATION AND ZONING REQUEST FOR TRACT 2 OF CERTIFICATE OF SURVEY NO. S-0005156 LOCATED ALONG STUCKEY ROAD.**

**A) Resolution 10369, to annex the property legally described as Tract 2 of Certificate of Survey No. S-0005156.**

**B) Ordinance 3223, to assign M-2 Mixed-Use Transitional Zoning.**

Mayor Pro Tempore Moe declared the public hearing open and asked for presentation of the staff report.

Planning and Community Development Director Craig Raymond reported that this agenda item is a proposal to annex and establish zoning for property owned by the Little Shell Tribe of Chippewa Indians of Montana.

The subject property is located off Stuckey Road immediately north of the former Montana Egg facility. The property already has a building that is used as an event center that they desire to increase in use. As such, having full access to city utilities and emergency services is beneficial to this goal.

Staff recommends the M-2 Mixed Use Transitional designation based on the current use of the property, the current zoning of the property within the County, and the City's past actions to create more flexible Mixed-use zoning areas along other roadway corridors in the City and the potential

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for other annexations in the immediate vicinity that would likely fit the M-2 zoning designation in the foreseeable future.

The City is also working with the Montana Department of Transportation to improve and pave Stuckey Road right up to a portion of the Little Shell property. The Tribe will be responsible for the last 30 feet, and for the installation of required public utilities.

Mayor Pro Tempore Moe asked if the Commission members had any questions of Director Raymond. Hearing none, Mayor Pro Tempore Moe asked for public comment in favor of Resolution 10369 and Ordinance 3223.

Appearing telephonically in support of Resolution 10369 and Ordinance 3223 was **Brett Doney**, Great Falls Development Authority (GFDA), 405 3<sup>rd</sup> Street NW, Suite 203. Mr. Doney commented that GFDA supports the Little Shell Tribe in development of its facilities that will serve their tribal members as well the community at large, and supports the development of Stuckey Road.

No one spoke in opposition to Resolution 10369 and Ordinance 3223.

Mayor Pro Tempore Moe closed the public hearing and asked the will of the Commission.

**Commissioner Robinson moved, seconded by Mayor Kelly and Commissioner Tryon, that the City Commission adopt Resolution 10369 to annex the property legally described as Tract 2 Certificate of Survey No. S-0005156 including the adjoining right-of-way, and the accompanying Findings of Fact/Basis of Decision, and approve the Improvement Agreement, all subject to the Conditions of Approval being fulfilled by the applicant.**

Mayor Pro Tempore Moe asked if there was any discussion amongst the Commission members.

Commissioner Robinson noted that paving Stuckey Road is great for development in that area.

There being no further discussion, Mayor Pro Tempore Moe called for the vote.

Motion carried 5-0.

**Commissioner Tryon moved, seconded by Mayor Kelly, that the City Commission adopt Ordinance 3223 to assign M-2 Mixed-Use Transitional Zoning to the property legally described as Tract 2 of Certificate of Survey No. S-0005156 and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.**

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

Motion carried 5-0.

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**16. ORDINANCE 3222, APPROVING THE AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE DOWNTOWN URBAN RENEWAL DISTRICT AND TO APPROVE THE CIVIC CENTER PROJECT AS AN URBAN RENEWAL PROJECT (OF 1636).**

Mayor Pro Tempore Moe declared the public hearing open and asked for presentation of the staff report.

City Manager Greg Doyon alerted the Commission to a text message he received from Shane Etzweiler, President/CEO of the Great Falls Area Chamber of Commerce that, due to audio/video issues, he is requesting that this item be postponed and implored the City to look at other options with regard to the Civic Center. Manager Doyon suggested a short recess.

Mayor Pro Tempore Moe called a recess at 8:28 PM. The meeting resumed at 8:35 PM. Manager Doyon commented that it is a mixed bag with technology. There are areas that don't have great internet reception and it is tough to determine the quality or their ability to listen in on the meetings. If the Commission has concerns about technology, options are to postpone this or the remaining items to a special meeting or to a date certain.

After a brief discussion, it was the will of the Commission to complete the meeting.

Planning and Community Development Director Craig Raymond commented that he wanted to make it clear that the action tonight is not a final approval for the use of Tax Increment Financing (TIF) funds for the Civic Center renovation. This item is consideration of the Planning and Community Development Department's request to conduct a public hearing and adopt Ordinance 3222.

The purpose of the Downtown Urban Renewal Plan (DURP) Amendment is to specifically identify the Civic Center as a property worthy of preservation and improvements. The only other building specifically mentioned in the DURP is the Rocky Mountain Building. Given the Civic Center's prominence and importance to the downtown, as well as the economic generation of the Convention Center and Mansfield Theater, TIF funds are an appropriate means to finance much needed repairs.

Director Raymond reviewed minor edits to the plan characterized as housekeeping.

On August 11, 2020, he presented the proposed amendments to the Planning Advisory Board per statute in order to gain concurrence that the amendment is consistent with the Growth Policy. The Planning Advisory Board did agree that it is consistent. He also presented the proposed DURP amendments to the Downtown Development Partnership (DDP), the recommending body to the City Commission for matters related to the Downtown TIF, and they have recommended approval to the City Commission.

Mayor Pro Tempore Moe asked if the Commission members had any questions of Director Raymond. Hearing none, Mayor Pro Tempore Moe asked for public comment in favor of Ordinance 3222.

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Appearing telephonically in support of Ordinance 3222 was **Brett Doney**, Great Falls Development Authority (GFDA), 405 3<sup>rd</sup> Street NW, Suite 203, noting GFDA's support of the proposed changes to the Downtown Urban Renewal Plan.

No one spoke in opposition to Ordinance 3222.

Mayor Pro Tempore Moe asked if Director Raymond had any further comments.

Director Raymond commented that he will be bringing forward the TIF application for funding in the near future. He will be presenting the application to the DDP at their October meeting for their recommendation to the Commission.

Mayor Pro Tempore Moe closed the public hearing and asked the will of the Commission.

**Commissioner Tryon moved, seconded by Mayor Kelly, that the City Commission adopt Ordinance 3222 approving the Amended and Restated Urban Renewal Plan for the Downtown Urban Renewal District and to approve the Civic Center project as an urban renewal project.**

Mayor Pro Tempore Moe asked if there was any discussion amongst the Commission members.

Commissioner Robinson noted that the page numbers Director Raymond referred to were different than what he had in his agenda packet.

Director Raymond explained the page numbers referred to differed due to the different sized agenda packets from first and second readings.

There being no further discussion, Mayor Pro Tempore Moe called for the vote.

Motion carried 5-0.

## **OLD BUSINESS**

## **NEW BUSINESS**

## **ORDINANCES/RESOLUTIONS**

17. **ORDINANCE 3225, REQUEST FROM MIKE AND SHEILA STAIGMILLER AND MARK AND MARY STAIGMILLER ASSIGING R-2 SINGLE-FAMILY MEDIUM DENSITY TO TRACT 1 AND REMAINDER TRACT 1-A OF CERTIFICATE OF SURVEY NO. 4120, PROPERTIES ADDRESSED AS 2001, 2003 AND 2005 UPPER RIVER ROAD.**

Planning and Community Development Director Craig Raymond reported that this agenda item is a request to accept Ordinance 3225 on first reading and to set a public hearing for November 4, 2020.

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The Owners of properties addressed as 2001, 2003 and 2005 Upper River Road filed a petition to annex their properties and assign R-2 Single-Family Medium Density zoning upon annexation.

Each of these properties is within the Upper Lower River Road Water and Sewer District Number 5. These districts were established in order to provide the opportunity to connect to city water and sewer services. These services are needed to help correct water quality and public health problems that arose subsequent to the moderate density residential development being approved in the county.

Due to the public health emergency, the water and sewer districts were able to apply for special loans to help finance the needed utility extensions. In this case, the extensions are already in place and services are available to those property owners within district 5 at this time. Each owner then simply has to pay a contractor to hook up the lines and pay for connection fees which are typical for these types of service connections.

Mayor Pro Tempore Moe asked if the Commission members had any questions for Director Raymond. Hearing none, Mayor Pro Tempore Moe asked the will of the Commission.

**Commissioner Robinson moved, seconded by Mayor Kelly, that the City Commission accept Ordinance 3225 on first reading and set a public hearing for November 4, 2020.**

Mayor Pro Tempore Moe asked if there were any comments from the public, or any discussion amongst the Commission members. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

18. **RESOLUTION 10371, RELATING TO FINANCING CERTAIN PROPOSED IMPROVEMENTS; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE TO ALLOW THE REIMBURSEMENT FOR COSTS OF IMPROVEMENTS FOR THE RECREATION AND AQUATIC FACILITY BY BOND PROCEEDS (OF 1770.0).**

Finance Director Melissa Kinzler reported that at the June 16, 2020 work session, staff had presented to the City Commission on the submission of a proposal that would allow the City to receive matching funds from the Office of Economic Adjustment for a \$20,000,000 indoor recreation and aquatic facility. The City would receive \$10,000,000 toward the recreation and aquatic facility. The City Commission was informed at that meeting that the City would hear back on the proposal in August and would need to submit the grant application in a short timeframe. The City was short-listed and submitted the grant application on August 26, 2020. At the September 15, 2020 City Commission meeting the City Commission authorized the City Manager to accept the DCIP grant if awarded, in the amount of \$10,000,000 as a match for the new Aim High/Big Sky Recreation Facility. The City received notification on September 18, 2020 that the grant was awarded, pending execution of documentation.

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Resolution 10371 is a reimbursement resolution for costs associated with improvements for the design, construction, and furnishing of a recreation and aquatic facility. This resolution will allow reimbursement by bond proceeds for costs that have occurred prior to the bond issuance.

Mayor Pro Tempore Moe asked if the Commission members had any questions for Director Kinzler.

Commissioner Tryon commented that he doesn't have Agenda Item 18 in his agenda packet. He inquired what costs there were prior to bond issuance.

Mayor Kelly asked if he was correct in stating that this is a process the City needs to go through to begin on the project to start accruing costs that are eligible to be reimbursed if and when the City might move forward with the project itself and was responded to in the affirmative.

Director Kinzler commented, for example, the City is in discussions with an architect for project design. The costs would be reimbursable until the bond is issued.

**Commissioner Houck moved, seconded by Mayor Kelly and Commissioner Robinson, that the City Commission adopt Resolution 10371.**

Mayor Pro Tempore Moe asked if there were any comments from the public.

Appearing telephonically in support of Resolution 10371 was **Brett Doney**, Great Falls Development Authority (GFDA), 405 3<sup>rd</sup> Street NW, Suite 203. Mr. Doney commented that this is standard procedure, but Exhibit "A" seems to be very specific for a project in the preliminary stages. He is excited about this project, but encouraged the City to look at affordability and accessibility for use of this facility.

Appearing telephonically in opposition to Resolution 10371 was **John Hubbard**, City resident, commenting that he opposed taxing people that don't have jobs and can't feed themselves.

Mayor Pro Tempore Moe asked if there was any discussion amongst the Commission members.

Commissioner Tryon asked for clarification with regard to costs up until now.

Director Kinzler read the description of the project, Exhibit "A" attached to Resolution 10371.

Commissioner Tryon asked if there were any costs incurred up to this point. Director Kinzler responded no.

Mayor Pro Tempore Moe called for the vote.

Motion carried 5-0.

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**CITY COMMISSION**

**19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Houck commented that a member of the community, Sally Smith, is missing. Her family and friends are worried about her safety. She provided her picture, information about the vehicle description and license plate number, and asked that everyone be on the lookout for her or her vehicle.

Commissioner Robinson commented that if candidates running for office post pictures with the Civic Center building in the background, it does not mean that the City Commission endorses that person.

He also noted that a hero of his, Eddie Van Halen, passed away today.

Mayor Kelly thanked Mayor Pro Tempore Moe for running the meeting and for everyone's patience with the technology tonight.

**20. COMMISSION INITIATIVES.**

None.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Kelly, to adjourn the regular meeting of October 6, 2020, at 9:07 p.m.**

Motion carried 5-0.

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Mayor Pro Tempore Mary Sheehy Moe

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

**Minutes Approved: October 20, 2020**