

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 15, 2020**

Regular City Commission Meeting

Mayor Kelly presiding

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

Civic Center Gibson Room 212

**PLEDGE OF ALLEGIANCE**

Due to the COVID-19 health concerns, the format of the City Commission Meeting was held in a virtual video-conferencing environment.

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members participated electronically via Zoom Webinar: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. City Staff participating electronically were: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Finance Director Melissa Kinzler; Planning and Community Development Director Craig Raymond; City Attorney Sara Sexe; and, Public Works Director Paul Skubinna. Trisha Gardner, Public Health Officer, also participated electronically. Staff present: Park and Recreation Director Steve Herrig; Police Captain Rob Moccasin; and City Clerk Lisa Kunz.

To honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation as follows:

- Attend in person. **The City will be following the Current Governor's Directives and the Public Health Officer Orders regarding public meetings conducted by, staffed by or held in the facilities of the city.** Masks will be required, social distancing will be enforced, and the total number of persons in the meeting room will be limited to a maximum of 25. Public following these directives may view and participate in the meeting from the Gibson Room. Please refrain from attending in person if you are not feeling well.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, December 15, 2020, to: [commission@greatfallsmt.net](mailto:commission@greatfallsmt.net).
- Electronically. Register via the link on the meeting's agenda to attend the virtual Zoom Webinar meeting or to participate by phone.
- The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on cable channel 190, or online at <https://greatfallsmt.net/livestream>.

**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/NEIGHBORHOOD COUNCILS/  
BOARDS AND COMMISSIONS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

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**2. COMMUNITY HEALTH INITIATIVES.**

Commissioner Robinson, City representative and voting member on the Board of Health, introduced Public Health Officer Trisha Gardner.

Public Health Officer Trisha Gardner reported the following:

- 6,086 cases were reported in Cascade County to date
- 109 new cases reported this morning (yesterday and today combined)
- There has been a drop in the positivity rate and case rate in the last week
- Great Falls received its first shipment of vaccines today; moving forward, she expects receiving weekly shipments
- Immunizations will be done in phases, starting with healthcare workers and first responders, highest risk for severe illness/long term care facilities, critical infrastructure individuals and then the general population

In response to Commission member inquiries, Public Health Officer Gardner commented:

- There is no cost for the vaccine itself, but an administration fee may be charged
- There is a two to four week range to see the effects of Thanksgiving holiday gatherings
- The State Centers for Disease Control and Prevention (CDC) will be reporting on the number of vaccinations received
- Anonymous reporting of businesses not enforcing the mask policy can be made at the State portal, or the City-County Health Department by email or phone
- The City-County Health Department has not issued any fines to businesses for non-compliance to date
- The State CDC website contains the state plan that differentiates the tiers for immunizations
- People with serious allergies should talk with their physician before getting the vaccine

Commissioner Robinson encouraged Commission members to contact him directly with questions.

**CITY MANAGER**

**3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon made the following announcements:

- Great Falls Fire Rescue promoted Bob Shupe to Assistant Fire Chief and Mike McIntosh to Fire Marshal
- Fire Station 4 project is progressing
- City staff Covid numbers are declining

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- The January 5, 2021 work session will be utilized to provide a DCIP grant/aquatics facility update

**CONSENT AGENDA.**

4. Minutes, December 1, 2020, City Commission Meeting.
5. Total Expenditures of \$3,393,875 for the period of October 31, 2020 through December 2, 2020, to include claims over \$25,000, in the amount of \$2,420,142.
6. Grants List.
7. Approve Community Based Policing Agreement with the Great Falls Housing Authority effective January 1, 2021, and authorize the City Manager to sign the Agreement.
8. Approve the Civic Center Snow Removal Agreement and authority the City Manager to sign the required documents.

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

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.

**PUBLIC HEARINGS**

9. **GREAT FALLS SADDLE CLUB LEASE OF CITY-OWNED PROPERTY LOCATED IN WADSWORTH PARK.**

Mayor Kelly declared the public hearing open and asked for presentation of the staff report.

Park and Recreation Director Steve Herrig reported that the Great Falls Saddle Club has provided equestrian opportunities for the community since 1971. For consideration is a five-year extension to the previously approved Lease Agreement expiring December 31, 2020. Both the City and the Lessee have the option to terminate the lease with a sixty-day written notice. The Lessee will be responsible for an annual fee and day-to-day maintenance.

Mayor Kelly asked if the Commission members had any clarifying questions.

In response to Commissioner Moe, Director Herrig commented that the Saddle Club provides riding lessons at Wadsworth Park.

Mayor Kelly asked if there were any public comments in support of or in opposition to the Great Falls Saddle Club lease of City-owned property located in Wadsworth Park.

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Hearing none, Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Tryon moved, seconded by Commissioner Moe, that the City Commission approve an Addendum to Wadsworth Park Saddle Club Agreement extending the term of the lease of City-owned property located in Wadsworth Park for a period of five years.**

Mayor Kelly asked if there was any discussion amongst the Commission members.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**10. EXCHANGE AGREEMENT BETWEEN CITY OF GREAT FALLS AND GREAT FALLS PUBLIC SCHOOL DISTRICT NUMBER 1.**

Park and Recreation Director Steve Herrig reported that the City of Great Falls and the Great Falls Public Schools are interested in a land trade that will be beneficial to both organizations. The District will swap a 10-acre parcel of land adjacent to the Seibel Soccer Park, referred to as the Loy land, for City property that includes 6 lots of Kranz Park. Both properties have been valued to be like kind with equal or greater value of approximately \$150,000.

The District would use the portion of Kranz Park for additional parking spaces at Great Falls High School. The School District's land is a potential site of the new Recreation Center made possible by a partnership with the City of Great Falls and the Department of Defense/Malmstrom Air Force Base through a Defense Community Infrastructure Program (DCIP) grant. If the site is ultimately not used for the Recreation facility, the City would utilize the property for other purposes or a future park.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission set a public hearing for January 5, 2021, on the Exchange Agreement of City-owned property located at Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite, Block 736 with the Great Falls Public School District Number 1 owned property located at S2SWSW Section 3, T20N, R4E, Mark 7B.**

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

Written communication was received from **Cheryl Reichert**, 51 Prospect Drive, urging the Commission to table this item and to locate a new aquatic center closer to the townspeople; and from and **Carol Craven**, City resident, urging the Commission to set a public hearing on this issue, and suggesting there is likely better land options than the property closer to Malmstrom.

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

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In the interests of transparency, Commissioner Moe disclosed that she was the former chair of the Great Falls Public Schools Board eight years ago and she continues to be on the Superintendents Advisory Council. This matter has been discussed at those meetings, but she has not participated in those discussions.

Mayor Kelly noted that Manager Doyon set the DCIP grant/aquatics facility update presentation for the January 5<sup>th</sup> work session. He would like to amend the motion to set the public hearing for January 19, 2021.

**Mayor Kelly moved, seconded by Commissioner Tryon, that the City Commission amend the main motion to set a public hearing for January 19, 2021.**

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

Commissioner Moe commented that she has no objection to the date change if it did not impinge on the process the City is going through. Concerns she will address at the public hearing include reducing the size of the park and issues with the aquatics facility site not being settled by January.

Manager Doyon noted no major concerns with the proposed postponement.

Director Herrig added they are on a tight timeline, but did not think there would be an issue with the postponement.

Commissioner Tryon requested that the School District property appraisal and the City property Cadastral valuation be provided to the Commission for consideration at the public hearing.

Commissioner Tryon expressed concern about now hearing if the School District site is ultimately not used for the recreation facility, the City would utilize the property for other purposes.

Director Herrig clarified that when he was first hired he and Deputy City Manager Anderson met with Superintendent Tammy Lacey and they discussed the 10-acres and its possibilities, and he has discussed with Manager Doyon that he would like to pursue this property whether it is suitable for the aquatics facility or not. Kranz Park is a hot topic for the School District because of on-street parking issues around the high school. The eastern portion of the park is ideal for their parking lot and still allows the City the other two-thirds of the park to install amenities.

For clarification, City Attorney Sara Sexe read the pending motion: **that the City Commission set a public hearing for January 19, 2021, on the Exchange Agreement of City-owned property located at Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite, Block 736 with the Great Falls Public School District Number 1 owned property located at S2SWSW Section 3, T20N, R4E, Mark 7B.**

Mayor Kelly called for the vote.

Motion, as amended, carried 5-0.

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**11. GREAT FALLS BASEBALL CLUB, INC. REQUEST FOR 2020 RENT FORGIVENESS IN THE AMOUNT OF \$10,648.**

Park and Recreation Director Steve Herrig reported that on April 6, 1999, the City of Great Falls and the Great Falls Baseball Club Inc. entered into a fifty-year lease agreement of Centene Stadium. The lease agreement requires an annual rent be paid to the City of Great Falls on or before November 1. The lease is on fixed rent stepped increases; thus, increasing the annual rent ten percent (10%) every five years. The current rent for 2020 is \$10,648.00. From 1999-2019 the Great Falls Baseball Club Inc. has been able to make their annual scheduled rent payment.

The Great Falls Baseball Club Inc. and Centene Stadium is the home of the Great Falls Voyagers minor league baseball team. In addition to hosting legion baseball games the Great Falls Baseball Club Inc. hosts several community and fundraising events. The Club employs grounds staff, administration staff and seasonal staff.

Due to COVID-19 related issues and restrictions in place, the Great Falls Baseball Club was unable to operate at normal capacity, seeing a decline of over 90% in revenues. Although the stadium had several COVID-19 restrictions in place, the Great Falls Baseball Club Inc. offered numerous low cost events to the community in an effort to have continual use of the stadium and staff employment throughout the summer.

Due to the 2020 financial hardship and in an effort to keep current and future operations going, the Great Falls Baseball Club, Inc. is requesting the City of Great Falls forgive the 2020 rent for Centene Stadium in the amount of \$10,648.00.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission approve the Great Falls Baseball Club Inc.'s request for forgiveness of the Centene Stadium 2020 rent in the amount of \$10,648.00.**

Scott Reasoner, President of the Great Falls Baseball Club, commented that he started discussions with City staff in early July when he realized they were going to be pretty much shut down for the summer. He expressed appreciation to the Commission for their consideration of this request. Every bit helps as they try to recover from this past summer. The Club has a new recruitment with major league baseball and is bringing professional baseball back next summer.

Mayor Kelly recognized the value the Baseball Club brings to the community. Their sacrifices this summer have been felt by the entire community in a variety of ways. He is sympathetic to the organization's request for forgiveness. The Commission does not have a mechanism in place to help the other taxpayers and ratepayers in the community get the forgiveness they would like to have based on the current lack of income they are suffering from.

Mayor Kelly noted this is year 21 of a 50-year lease. He proposed deferring the lease payment over a period of 10 years with no interest.

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After a brief discussion, Commissioners Tryon, Houck and Moe concurred with Mayor Kelly's proposal. Commissioner Robinson commented he stands by the motion and believes it is the right thing to do for the community.

Baseball Club President Reasoner commented that he could entertain that option with the Baseball Club's Board of Directors for consideration.

After discussion pertaining to other City-owned property leases, Mayor Kelly called for the vote.

Motion failed 1-4 (Mayor Kelly, Commissioners Houck, Moe and Tryon dissenting).

The City Manager and Park and Recreation Director were directed to arrange something along the lines that the Commission discussed.

**12. AMENDED AND RESTATED AGREEMENT FOR OPERATION AND MAINTENANCE OF WASTEWATER TREATMENT PLANT OF 1010.**

Public Works Director Paul Skubinna reported that the City of Great Falls has contracted operation and maintenance of its Wastewater Treatment Plant (Plant) since 1977. The City has never operated its own Plant as it is currently configured. The City's current operation and maintenance contract expires on December 31, 2020. The proposed agreement is for a period of 10-years. Based upon the amended terms of the agreement, the projected savings to the City is \$2.4 million dollars. As discussed at the last two work sessions, staff believes approval of this agreement is in the best interest of the public. It keeps City costs down, the plant in great condition and they have had an impeccable compliance record. This long-standing private/public partnership has been a mutually beneficial relationship.

**Commissioner Moe moved, seconded by Commissioners Houck and Tryon, that the City Commission approve the Amended and Restated Agreement for Operation and Maintenance of Wastewater Treatment Plant with Veolia Water North America Operating Services, LLC, and authorize the City Manager to execute the Agreement.**

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

**John Hubbard**, City resident, commented the water rates were raised 10-times for toxic water.

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

Commissioner Tryon inquired if Veolia participated in biobot testing.

Director Skubinna responded that they participated in a biobot study this spring. Samples for Covid-19 in the wastewater and collection system were collected from the end of March through the end of May with varying results and no detections in the system.

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

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Motion carried 5-0.

**ORDINANCES/RESOLUTIONS**

**13. RESOLUTION 10370, RELATING TO FINANCING CERTAIN PROPOSED IMPROVEMENTS OF THE EXTERIOR FAÇADE AND ROOF TO THE CITY'S CIVIC CENTER, ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE FOR RENOVATION.**

Finance Director Melissa Kinzler reported that staff had presented to the City Commission at the December 1, 2020 City Commission meeting a resolution authorizing the expenditure of funds from the Downtown Urban Renewal Tax Increment Financing District toward the Civic Center Façade Renovation Project. The City Commission held a public hearing and adopted Resolution 10379, authorizing approximately \$8,829,810 (includes interest on the debt) of funds from the Downtown Urban Renewal Tax Increment Financing District toward the project.

Resolution 10370 is a reimbursement resolution for costs associated with renovation of the exterior façade and roof of the City's Civic Center. This resolution will allow reimbursement by bond proceeds for costs that have occurred prior to the bond issuance.

The resolution authorizing the issuance and fixing terms and conditions for the estimated \$6,000,000 of improvements will be presented at a future date.

**Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10370.**

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

**John Hubbard**, City resident, suggested chipping off the façade and polishing the brick to save money.

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

Commissioner Tryon inquired if \$5.5 million for the repair and \$3.5 million to finance the debt were correct numbers.

Mayor Kelly responded that debt service, underwriting and legal fees, was standard for a 20-year bond.

Director Kinzler added that the numbers are an estimate at this point because they do not know what the actual annual percentage rate will be.

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

Motion carried 5-0.



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**CITY COMMISSION**

**14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Kelly wished everyone a happy and safe holiday.

Commissioner Moe recognized the work of the Park and Recreation Board, and thanked termed-out members Lynn Ulmer Oatman and June Sprout for their service.

**ADJOURNMENT**

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioners Houck, Moe, Robinson and Tryon, to adjourn the regular meeting of December 15, 2020, at 8:40 p.m.**

Motion carried 5-0.

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Mayor Kelly

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City Clerk Lisa Kunz

**Minutes Approved: January 5, 2021**