

**JOURNAL OF COMMISSION PROCEEDINGS**  
**February 2, 2021**

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; Park and Recreation Director Steve Herrig; City Attorney Sara Sexe; and Public Works Director Paul Skubinna. Planning and Community Development Director Craig Raymond and Police Chief Dave Bowen were present in the Gibson Room, and City Clerk Lisa Kunz was present in the Commission Chambers.

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 50. 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.
- Attend the virtual meeting utilizing Zoom Webinar. Attendees must register in advance for the Commission Meeting: [https://us02web.zoom.us/webinar/register/WN\\_224nOaVDT4ymHLydaxp16Q](https://us02web.zoom.us/webinar/register/WN_224nOaVDT4ymHLydaxp16Q) After registering, you will receive a confirmation email containing information about joining the webinar by Zoom.
- Participate by phone. Attendees must register in advance for the Commission Meeting using the link above. After registering, you will receive a confirmation email containing information about joining the webinar by phone. If you do not have internet access, you may contact the Great Falls Public Library by 5:30 p.m. the day of the meeting at 453-9706 and they can assist with registration.
- Provide public comments in writing. Submit comments via mail addressed to City Clerk's Office, PO Box 5021, Great Falls, MT 59403 or by email to: [commission@greatfallsmt.net](mailto:commission@greatfallsmt.net) by 12:00 PM the day of the meeting.
- 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:** City Manager Greg Doyon requested Item 13 (Resolution of Intention 10385) be pulled from the agenda due to lack of proper public notice. Mayor Kelly requested that staff notify the people that submitted written correspondence for this agenda item. There were no proposed changes to the agenda by the City Commission. The agenda was approved as amended.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**February 2, 2021**

**CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS:** None.

**PROCLAMATIONS:** Mayor Kelly read Scouting Anniversary Week (February 7-14, 2021) and Career & Technical Education Month for Great Falls Public Schools (February 2021).

**MILITARY UPDATES**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Colonel Trace Thomas**, 120<sup>th</sup> Airlift Wing, Montana Air National Guard (MANG), provided the following update:

- MANG’s mission is to answer the calls of our nation and state with ready Airmen and precision aerial delivery anytime anywhere. The vision is a leading edge Airlift Wing known for its high performance Airmen and exceptional mission effectiveness.
- MANG provides community support in various ways, including:
  - 119 Airmen supported Covid response
  - STARBASE – 2,000 5<sup>th</sup> graders exposed to STEM
  - Danny Berg Memorial – 500+ meals annually prepared/provided to our community
  - Two Open Hangar events – 12 high schools/327 students
  - 32 flyovers/static displays
  - ESGR – 39 Boss Lift participants
- Developing Community Leaders:
  - ANG Tuition Assistance up to a Master’s Degree
  - Cost effective healthcare for Drill Status Guardsmen
  - Leadership classes
  - Job skills training in over 100 different fields
  - Montanans helping Montanans

Mayor Kelly inquired about deployments in the past year.

Colonel Thomas responded that CENTCOM deployment occurred in the prior year. More recently, deployments supported the Covid relief effort around the state.

In response to Commissioner Robinson, Colonel Thomas reported that the status of the upgrades to the C-130’s is not known yet.

**Colonel Russell Williford**, Malmstrom Air Force Base (MAFB), provided the following update:

- MAFB recently concluded a successful visit of the Vice Chief of Staff of the Air Force, General David Allvin, that included:
  - Previewed what MAFB’s role will be in the future of the Air Force’s modernization efforts. In particular, the Ground Based Strategic Deterrent (GBSD), replacement

# JOURNAL OF COMMISSION PROCEEDINGS

February 2, 2021

to the intercontinental ballistic missile program, and the future MH1-39 Grey Wolf helicopters that will replace the UH-1 Huey helicopters.

- Wing Operation Center inside the confines of the base is the first of its kind in the ICBM world in that all of the different things that a wing does is in one central location, has a common operating picture, and immediate access to leadership and to the subject matter experts.
- Chief Master Sergeant of the Air Force JoAnne Bass is scheduled for a similar visit next week.
- A Japan reporter from a major news publication is coming to MAFB to write a story about the ICBM's not only protecting America, but also providing that assurance to our allies.
- The Diversity and Inclusion Team scheduled many February events for African American Heritage Month.

## **PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/ BOARDS AND COMMISSIONS**

### **2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**CITY MANAGER**

### **3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon provided updates on the following:

COVID:

- Employee numbers improving. The Planning and Community Development Department is fully open and staffed.

AIM HIGH BIG SKY RECREATION CENTER (OF 1770)

- Office of Local Defense Community Cooperation (f/k/a OEA) approved the fourth location for the Aim High Big Sky Recreation Center
- There was no team meeting last week
  - The Design Team continues to meet with focus groups around the community to work on developing a site plan and initial drawings. Some of the focus groups meet about maintenance, recreational, competition and therapy swim groups, operations, and meetings with Fire Marshal
- NEPA comments were due to the City at end of January (environmental assessment done nationally as a result of the federal grant)
- Survey for site has been completed
- Considerable attention given to minimizing traffic and neighborhood impact, including access points to the facility, parking and landscaping, and conversations with Montana Department of Transportation
- There is concern from neighbors on the impact to Lions Park, traffic, and general visibility of the facility

## JOURNAL OF COMMISSION PROCEEDINGS

February 2, 2021

- The Commission will need to approve a Conditional Use Permit to locate the facility. Neighborhood Councils are being made aware that it is a public process and is anticipated to occur in March

### GREAT FALLS FIRE RESCUE UPDATE

#### Diesel Exhaust System

- GFFR applied for and received an Assistance to Firefighters Grant for the diesel exhaust removal systems that have been installed at all stations

#### Fire Station #4 Status

- All patching and painting has been completed throughout the entire station
- The locker-room lockers have been received
- Plumbing is finalized
- Electrical and building final inspections are being scheduled for the week of the February 15<sup>th</sup>
- Flooring underway (apparatus last)
- Hoping to be reopened end of February or the first week of March
- Updating stations in anticipation of future station needs

### ADVISORY BOARDS OPENINGS

- (2) Park and Recreation Advisory Board
- (2) Planning Advisory Board
- (1) Board of Adjustment/Appeals
- (1) Parking Advisory Commission
- (1) Mansfield Center for the Performing Arts Advisory Board
- (1) Audit Committee
- Advisory Commission on International Relationships - several openings

Mayor Kelly noted that Commissioner Moe volunteered to be on the interview panel for the Police Chief hire.

Manager Doyon commented that he would like to have two of the Commission members participate in certain interview sessions to provide feedback on the Chief appointment.

In response to Mayor Kelly, Commissioners Robinson and Tryon raised their hands indicating interest in also participating in the interview process.

### CONSENT AGENDA.

4. Minutes, January 19, 2021, City Commission Meeting.
5. Total Expenditures of \$1,741,255 for the period of January 1, 2021 through January 20, 2021, to include claims over \$25,000, in the amount of \$1,208,588.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**February 2, 2021**

6. Contracts List.
7. Grants List.
8. Set a public hearing for February 16, 2021 on Resolution 10384, Establishing Golf Fees.

**Commissioner Moe moved, seconded by Commissioner Houck, that the 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. **LEASE OF THE VISITOR CENTER (15 OVERLOOK DRIVE) WITH GREAT FALLS TOURISM.**

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

Park and Recreation Director Steve Herrig reported that the Park and Recreation Department issued a Request for Proposals for the Visitor Center located at 15 Overlook Drive on July 31, 2020 with a due date of August 26, 2020. On September 1, 2020, the deadline was extended to September 22, 2020 to allow parties interested in the building more time to prepare their proposal. Two proposals were received, neither of which were determined beneficial to the City and the Park and Recreation Department. Staff entered into negotiations with Great Falls Tourism to negotiate a lease that would be beneficial to both parties.

The start date of the lease has not yet been determined. The Great Falls Tourism is waiting for notification of a tourism grant that will facilitate the cost of the facility remodel. The notification was scheduled for a January 2021 release, but has since been moved to February 2021.

If approved, the term of the lease will terminate seven (7) years from the start date of the agreement. Over the term of the lease, Great Falls Montana Tourism will pay a graduated lease payment to the City of Great Falls. The lease payment will be \$1 for the first year, \$500 per month for year two, and \$1,000 per month for years three through seven. Utilities will be the responsibility of the Tourism group as well as any remodeling.

At the January 11, 2021 meeting, the Park and Recreation Advisory Board recommended the City Commission approve the lease of the Visitor Center to Great Falls Montana Tourism.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**February 2, 2021**

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

Commissioner Houck inquired who would be responsible for irrigation.

Director Herrig clarified that the Tourism group is leasing the building. Park and Recreation would be responsible for irrigation and park maintenance.

In response to Commissioner Tryon, **Executive Director Rebecca Engum** commented that Great Falls Tourism does not receive funding from the City of Great Falls.

Speaking in support of the Lease of City-Owned Property located at 15 Overlook Drive to Great Falls Tourism was **Brett Doney**, Great Falls Development Authority. Mr. Doney noted that this is a good proposal for Great Falls Tourism and the City, and it is good to see the building put to use.

No one spoke in opposition to the Lease of City-Owned Property located at 15 Overlook Drive to Great Falls Tourism.

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 the Lease of the Visitor Center, city-owned property located at 15 Overlook Drive to Great Falls Tourism.**

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

Mayor Kelly inquired if Great Falls Tourism could sublease the building.

Director Herrig responded that subleasing would require Management's approval.

Commissioner Tryon inquired if Great Falls Tourism was funded by the Chamber of Commerce or Great Falls Development Authority.

Great Falls Tourism **Executive Director Rebecca Engum** responded that the four funding streams for Great Falls Tourism are (1) combination facility use tax from the Montana Department of Revenue, (2) Tourism Business Improvement District assessments, (3) Membership in the Tourism Organization, and (4) Cooperative Marketing or joint marketing opportunities.

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

Motion carried 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**JOURNAL OF COMMISSION PROCEEDINGS**

**February 2, 2021**

**10. NON-ADMINISTRATIVE PLAT TO AGGREGATE LOTS 1-10 AND LOTS 24-26 OF BLOCK 1, LINCOLN HEIGHTS ADDITION TO GREAT FALLS, PROPERTY ADDRESSED AS 2500 10<sup>TH</sup> AVENUE SOUTH.**

Planning and Community Development Director Craig Raymond reported that Montana Commerce, LLC has submitted an application to aggregate Lots 1-10 and Lots 24-26 of Block 1 of the Lincoln Heights Addition to Great Falls. This request was submitted concurrently with a building permit to construct a new car wash facility located at 2500 10<sup>th</sup> Avenue South.

The aggregation of Lots 1-10 will ensure that the proposed new structures will not cross over the boundary lines of each individual lot, therefore conforming to City building setback requirements. Aggregation of Lots 24-26 will ensure that the stormwater facilities being developed with the project are under the ownership of one party. This simplifies long-term maintenance responsibility. The amended plat must be approved by the City Commission and recorded prior to a Certificate of Occupancy being issued by the City for the car wash development. The amended plat will be additionally reviewed by City/County Health Department and Cascade County Clerk and Recorder for compliance with the survey requirements as part of the standard plat review process.

At the conclusion of its regularly scheduled meeting held on December 22, 2020, the Planning Advisory Board recommended that the City Commission approve the applicant's request for the aggregation of Lots 1-10 and Lots 24-26 of Block 1, Lincoln Heights Addition. Staff recommends approval of the Non-Administrative Plat of the subject properties subject to certain Conditions of Approval.

**Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission approve the amended plat to aggregate Lots 1-10 and Lots 24-26 of Block 1, Lincoln Heights Addition to Great Falls as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.**

Mayor Kelly asked if there were any comments from the public or discussion amongst the Commissioners.

Commissioner Robinson inquired the meaning of non-administrative plat meant.

Director Raymond responded that five parcels could be processed administratively.

Commissioner Robinson inquired about the non-use alleyway.

Director Raymond responded that it remains an alleyway. The applicant is not requesting vacation of the alleyway.

Commissioner Tryon inquired the reaction of Neighborhood Council 5.

Director Raymond responded that the council had no objection, and was more interested in the commercial development.

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

**JOURNAL OF COMMISSION PROCEEDINGS**

**February 2, 2021**

Motion carried 5-0.

**11. FOX FARM 20-INCH AND SOUTHWEST SIDE WATER MAIN REPLACEMENT PROJECT (OF 1494.9).**

Public Works Director Paul Skubinna reported that this project consists of replacing approximately 480 lineal feet of 20-inch water main and 885 lineal feet of 8-inch water main under Fox Farm Road, 16<sup>th</sup> Street Southwest and 13<sup>th</sup> Street Southwest. He explained efforts to minimize impact to citizens during construction.

The requested action is that the City Commission award a contract to the low bidder, United Materials, in the amount of \$470,850.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission award a contract in the amount of \$470,850 to United Materials of Great Falls, Inc. for the Fox Farm 20-inch and Southwest Side Water Main Replacements project, and authorize the City Manager to execute the contract documents.**

Mayor Kelly asked if there were any comments from the public or discussion amongst the Commissioners.

Mayor Kelly noted that the State has a Public Relations Officer that will make announcements about the project.

In response to Commissioner Tryon, Director Skubinna reported that work is scheduled to begin April 5, 2021.

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

Motion carried 5-0.

**ORDINANCES/RESOLUTIONS**

**12. RESOLUTION 10383, AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE OF UP TO \$6,000,000 TAX INCREMENT URBAN RENEWAL BONDS, SERIES 2021 (DOWNTOWN URBAN RENEWAL DISTRICT); SUBJECT TO THE TERMS AND LIMITATIONS SET FORTH HEREIN.**

Finance Director Melissa Kinzler reported that on December 1, 2020, the City Commission adopted Resolution 10379 authorizing the expenditure of approximately \$8,829,810 from the Downtown Urban Renewal Tax Increment Financing District toward the Civic Center Façade Renovation Project.

Resolution 10383, will establish the terms, conditions and documentation for a private, negotiated sale of up to \$6,000,000 in Tax Increment Bonds. The purchase price, redemption features, and interest rate on the Bonds will be subject to the following conditions and limitations:



**JOURNAL OF COMMISSION PROCEEDINGS**  
**February 2, 2021**

- (1) the aggregate principal amount of the Bonds shall not exceed \$6,000,000;
- (2) the maximum true interest cost on the Series 2021 Bonds shall not exceed 4.50 percent;
- (3) the purchase price of the Series 2021 Bonds shall not be less than 99% of the principal amount thereof, exclusive of original issue premium or discount; and
- (4) the final maturity of the Series 2021 Bonds shall not be later than 20 years from their date of issuance.

Upon final approval of the interest rate, purchase price, and other terms and conditions of the sale of the Bonds, the City Manager, Finance Director, or the Deputy City Manager shall be authorized to enter into and execute a Bond Purchase Agreement on behalf of the City. The form of the Bonds and the final terms and conditions will be brought before the City Commission under a separate resolution for final approval.

The issuance of the 2021 bonds will extend the Downtown Urban Renewal Tax Increment District an additional 13 years.

Although the original architect's estimate of the project was \$5.5 million dollars, it is anticipated that Covid has had a significant effect on construction material costs as well as availability of labor. As such, staff has revised the estimate to \$6.2 million. Staff will have a better understanding of the actual costs soon, as the project is currently out for bid with a February 17<sup>th</sup> bid opening date. After the bid is opened, and should it exceed projected costs, staff will review options at that time and advise the City Commission accordingly.

**Commissioner Robinson moved, seconded by Commissioners Moe and Tryon, that the City Commission adopt Resolution 10383.**

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

**Brett Doney**, commented that Great Falls Development Authority supports this project.

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

Mayor Kelly noted that this is standard procedure for bond issuance going forward.

Mayor Kelly called for the vote.

Motion carried 5-0.

13. **RESOLUTION OF INTENTION 10385, INTENTION TO VACATE THE ALLEY EASEMENT LEGALLY DESCRIBED AS THE WEST 20 FEET OF LOTS 1B, 1D, 1C, 1FF, 1FA, 1FB, 1FC, 1FD, AND 1FE OF SUN RIVER PARK ADDITION IN GREAT FALLS, MONTANA.**

Pulled.

# JOURNAL OF COMMISSION PROCEEDINGS

February 2, 2021

## CITY COMMISSION

### 14. LEGISLATIVE INITIATIVES.

Mayor Kelly noted that the City is dealing with the legislature on a variety of issues, including monitoring HB 121 which is a County move to take the directive of the Public Health Officer and leave the decisions on how to go forward to elected officials, and also the taxation committee in trying to change the structure of the special districts throughout the State of Montana. The Great Falls Park District would not be affected by this legislation, but future districts would be affected.

### 15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

In follow up to this evening's work session, Commissioner Tryon requested clarification on next steps with regard to the proposal of the Downtown Development Partnership taking over allocation of \$500,000 in TIF funds.

Mayor Kelly commented that Director Raymond was instructed to look at some of the other opportunities for use of the TIF funds that have been done around the state. Two aspects of the proposal are whether the Commission is good with using funds for the particular priorities that were identified (crime prevention, façade treatment, and ADA work). His understanding was the Commission was comfortable with those priorities in urban renewal districts. The Commission instructed Director Raymond to come up with a different governance scheme so the Commission can look at how those monies are allocated and monitored. The Commission did not authorize Director Raymond to institute the proposal, but to come back at a work session to walk us through the process. This will allow some time for the Commission to review and get familiar with the Missoula process utilizing a redevelopment agency and the hybrid model Director Raymond and DDP members put forward for Commission approval.

Commissioner Moe apologized for not being more careful in her comments made during the January 28, 2021 Special Work Session pertaining to drug abuse and mental illness. She did not mean to imply in any way that Great Falls, in general, is failing its children. She also responded to concerns she received about the Commission relying on what has been characterized as unreliable statistics as a basis for decision. She recognizes that statistics on commercial websites are generally unreliable. Crime statistics obtained from the FBI, Great Falls Police Department, and the State Crime Bureau are the most reliable sources. She would not want to give greater credence to a commercial website than to people who spend their lives understanding how the data is counted and what that data reflects. The conclusion from the reports received over the years do verify that, particularly in the area of substance abuse, Great Falls has an increasing crime rate that has been described by the Police Chief as "alarming." She reported that she received feedback from people that are already doing a great deal of work on the issue of crime in the community and they want to be at the table. United Way and the Downtown Safety Alliance have had a downtown safety plan since 2013. They are interested in remaining in the conversation.

Commissioner Tryon responded that he, too, received feedback about the nature of the commercial website statistics he presented at the Special Work Session. He reiterated that he was not presenting those statistics as FBI stats, but as the picture that is being painted on-line from those very highly used websites like City Data, Area Vibes, and Sperling's Best Places.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**February 2, 2021**

Commissioner Houck commented that she responded to people that were confused about what the Special Work Session was for. She explained that it was an annual planning session to set Commission priorities, keeping in line with the Commission's vision statement, so the City Manager and department heads can begin to put together the budget for the next fiscal year. She urged residents to get involved with their Neighborhood Councils.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of February 2, 2021, at 8:25p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

**Minutes Approved: February 16, 2021**