

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 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, Owen Robinson, Rick Tryon, Mary Sheehy Moe and Tracy Houck. City Staff participating electronically were: Finance Director Melissa Kinzler, and Planning and Community Development Director Craig Raymond. City Manager Greg Doyon, City Attorney Sara Sexe, Public Works Director Paul Skubinna, and Interim Police Chief Rob Moccasin 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 Cascade County Board of Health and the Public Health Officer Orders. Masks will be required and social distancing will be enforced. 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_EWszkMTDQM-YCOo6nKMGVA
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 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 noted that the Proclamation category was excluded from the agenda, and that the date on page 18 of the March 16th Minutes was corrected after original posting. 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.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

PROCLAMATIONS: Public Safety Telecommunicators Week.

COMMUNITY HEALTH INITIATIVES

1. MILITARY UPDATES.

Colonel Trace Thomas, 120th Airlift Wing, Montana Air National Guard (MANG), provided the following updates:

- MANG suffered a tragic loss with the passing of Tyler Weir. He and his wife had a huge impact on the community. He thanked everyone that supported, contributed and assisted the Weir family during this time of crises.
- More travel and training is taking place with the C130's, and they are wrapping up the night flight training sessions.
- A three-day large scale exercise is planned this weekend with more flying and ground events.
- Anyone wishing for a fly-by for an upcoming holiday should complete the paperwork now.
- There isn't a definitive date yet for the arrival of the H-3 planes that will be replacing the H-1's.

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/ BOARDS AND COMMISSIONS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Brett Doney, Great Falls Development Authority (GFDA), appearing via Zoom announced that The Newbury, a new events center, would be opening in Downtown Great Falls that will have capacity for up to 1,000 people.

He also reported that it was disturbing to hear that SB 278 was amended on the house floor this week that added an unrelated section that would make it difficult for 501c3 or 501c4 organizations to support or oppose local government actions. If the bill is passed, every time he speaks to the Commission about a project or action the Commission may take, GFDA would be required to file a report with the Attorney General and disclose all of GFDA's donors of \$50 or more for the prior year, which would be a tremendous administrative burden.

Commissioner Moe reported that the Library Board has elected to have a community forum and she has volunteered to serve on a task force pertaining to the renaming of the library to honor Alma Smith Jacobs.

She also reported that the Parking Advisory Commission has done yeoman's service for the new downtown parking program and efforts to educate the public.

3. APPOINTMENT TO THE HOUSING AUTHORITY BOARD OF COMMISSIONERS.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission appoint Rodney Blake for the remainder of a five-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 or discussion amongst the Commissioners.

Commissioner Moe expressed appreciation to Mr. Blake for his continued interest in serving.

Mayor Kelly called for the vote.

Motion carried 5-0.

Due to setbacks from the pandemic, Commissioner Robinson reported that the Census 2020 results for Montana wouldn't be made available until mid to late August, and in a useable format by September 30th.

CITY MANAGER

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon provided updates on the following:

- The farewell reception for Police Chief Dave Bowen was well attended and fitting for his 30-year career with the Great Falls Police Department.
 - Interviews of five internal candidates were conducted for the position of Chief of Police. Three candidates are being advanced to the second stage of the process: Captain Rob Moccasin, Captain Jeff Newton, and Lieutenant Doug Otto.
 - The next phase includes three panels consisting of the department head team, representatives from Neighborhood Councils, and a focused community panel with various representatives from around the city.
 - He and Deputy City Manager Chuck Anderson will conduct the final interview next week.
- City Attorney Sara Sexe has announced her retirement for September 2021. He expressed appreciation to her for her service and the advance notice, and reported that recruitment will begin immediately.
- Mike Grison is the Interim Water Plant Manager.
- The City Manager's Office and the Finance Department have been tracking conversations about guidelines related to use of the America Rescue Plan dollars.
 - He is hoping there will be guidance from the US Treasury before the May 18th City Commission work session. He will advance some initial thoughts and scenarios to the Commission about potential uses of the money.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

- There are multiple sources of funding to a wide variety of organizations. He requested that community members first research funding that may be available to their organization/business before asking the City for money.
- Beginning April 19th, the Great Falls Public Library hours will be Tuesday through Saturday 11:00 am to 6:00 pm; the pickup window will be open Monday through Saturday 9:00 am to 5:00 pm; and phone hours are Monday 9:00 am - 5:00 pm; Tuesday through Saturday 9:00 am to 6:00 pm.
- Parking went live with implementing new equipment and software in addition to the resumption of paid parking on Friday April 2nd. Generally, it has been going well but there have been a couple of glitches to work out. If citizens experience any troubles, they should call SP+ staff at 727-7828 or Tammy Baber at 455-8414.
- Samantha Long was hired as the new Historic Preservation Officer.
- Robin Beatty was hired as the new Legal Assistant in the City Attorney's Office.
- Registration for the virtual annual Ice Breaker road race began April 1st. Additional details can be found on the Park and Recreation webpage.

With regard to the use of various funds, Commissioner Moe suggested there is a need for a navigator for the public and non-profits, and the City may have that same need as it works with various community partners to determine the best allocation of resources.

Manager Doyon responded that he has reached out to partners in the community. The first thing is to make sure any funding the City may be getting is leveraged to the fullest extent possible. He wants it done with a level of coordination to be able to complement each other's efforts. There may be opportunities to leverage each other's allocation to make a dent in a common community issue or concern. He has also suggested to key community partners that staff be assigned to meet weekly to exchange information. It may take a reallocation or an additional staff person to monitor the City's allocation and to track and monitor what is required by the federal government.

Commissioner Houck suggested retaining an accountant or someone familiar with the reporting process. She also encouraged participation in the Ice Breaker.

CONSENT AGENDA.

5. Minutes, March 16, 2021, City Commission Meeting.
6. Total Expenditures of \$3,092,881 for the period of February 27, 2021 through March 24, 2021, to include claims over \$25,000, in the amount of \$2,453,507.
7. Grants List.
8. Adopt Resolution 10394, correcting a clerical error in the heading of Resolution 10377.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

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 \$152,265 to be placed in Lions Park. **OF 1740.7**
10. Set a public hearing for April 20, 2021 on Resolution 10390 for the Great Falls Business Improvement District's application to use Downtown Urban Renewal District Tax Increment Financing (TIF) funds for the cost of trimming, maintaining, and replacing boulevard trees in the Downtown Urban Renewal District.
11. Approve a Professional Services Agreement in the amount of \$130,600 with WWC Engineering for the Missouri River Bank Stabilization Project, and authorize the City Manager to execute the professional services agreement. **OF 1693**
12. Award a contract in the amount of \$569,485 to Central Plumbing and Excavation for the Southside Water Main Replacements – Phase I, and authorize the City Manager to execute the contract documents. **OF 1648**
13. Postpone Public Hearing on Resolution 10392, Amending section (4)C of Resolution 10375 establishing the rates, fees and penalties associated with title 10 of the Official Code of the City of Great Falls (OCCGF) pertaining to the City's parking system to May 4, 2021.

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

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

14. **INDEPENDENCE BANK MINOR SUBDIVISION AND THE 10TH STREET BRIDGE MINOR SUBDIVISION AND A LAND EXCHANGE BETWEEN INDEPENDENCE BANK AND THE CITY OF GREAT FALLS.**

A. Exchange Agreement.

B. Independence Bank and 10th Street Bridge Minor Subdivisions.

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

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Planning and Community Development Director Craig Raymond reported that for years there has been visions of providing enhanced trail connections on each side of the river through the restoration of the 10th Street Bridge. The project has taken several years to bring it to this point and we find ourselves in a position to secure land on the south side of the river which could be used as a connecting point to our renowned River's Edge Trail system.

Independence Bank has purchased a tract of land along the Missouri River located in between the 9th Street North Bridge and the old 10th Street Bridge. This tract of land is located to the west of the old Falls Construction site and the Missouri River Diner. The City was approached by the bank to engage in a land swap for unusable land along the Missouri River for a piece of vacant land that the City owns along River Drive. The intent of the land swap is for the land along the river to be acquired by the City to facilitate a future trail connection to the 10th Street Bridge and for the bank to gain additional land needed for parking.

The property that the City would convey to the bank will not include property immediately off River Drive. Without knowing what specific improvements may be contemplated, staff feels this is critical land to preserve for possible transportation improvements.

This has been a complex project that has demanded significant amount of staff time to ensure the public's interest is served. Professional appraisals have been performed on the subject properties and the value of property being exchanged have been deemed essentially equal. Staff supports the proposed subdivisions and land swap with the bank.

Mayor Kelly asked if the Commission members had any clarifying questions. No one responded.

Appearing via Zoom and speaking in support of the Exchange Agreement and minor subdivisions were:

Brett Doney, Great Falls Development Authority, thanked all of the parties involved and looks forward to more quality redevelopment along the riverfront.

Bruce Pollington, President, Rivers Edge Trail Foundation Board of Directors, commented this will provide for a permanent connection to the trail, and a safe scenic river crossing isolated from traffic. He looks forward to working with the City to plan the new trail connector and to work on making the funding available for the project.

Arlyne Reichert, 1409 4th Avenue South, President, Preservation Cascade, a non-profit organization that has been dedicated to preserving the historic 10th Street Bridge for over 25 years. The organization has raised over \$2 million dollars through donations, grants and events, without any direct local taxes. What a great gift it would be for the City Commission to help the organization connect both sides of the bridge that will become an integral part of the River's Edge Trail. Ms. Reichert concluded that at age 95, she would very much like to cross the historic 10th Street Bridge before she crosses any other bridges.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Dr. Cheryl Reichert, 51 Prospect Drive, added that predecessors to the City Commission made this journey possible by forming one of the very first public-private partnerships ever to be created in the United States. This partnership to benefit the bridge continues between the City, the National Trust for Historic Preservation, and Preservation Cascade. Saving and restoring the bridge has been, literally, a marathon with many, many hurdles. A favorable vote tonight removes the last significant hurdle, putting the goal of a repurposed historic pedestrian bridge within sight.

Carolyn Craven, 101 14th Avenue South, thanked City officials for their involvement in making this much anticipated pedestrian crossing happen.

Written communication in support of the Exchange Agreement and Minor Subdivisions was received from:

Bruce Pollington, President, Rivers Edge Trail Foundation Board of Directors, urged the Commission's approval of both mutually beneficial subdivisions and the associated land exchange. The alignment of the River's Edge Trail will improve safety by eliminating a dangerous corner at the Ninth Street Underpass, provide permanent trail access to the South end of the Tenth Street Bridge (the bridge will provide a safer and more enjoyable river crossing at that location), and enhance trail user experiences along that stretch of River's Edge Trail.

R.W. Dohrman, City resident, urged the Commission's approval, adding that it has been 25 years of struggle to accomplish this progress, and that this move is wonderful.

Bill Hunter, 124 Riverview 6W, encouraged the Commission's favorable vote for the proposed land swap and minor subdivision.

Carolyn Craven, 101 14th Avenue South, urged the Commission's support of this land exchange agreement.

No one spoke in opposition to the Exchange Agreement and minor subdivisions.

There being no one further to address the Commission, Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the Exchange Agreement of City-owned property which is anticipated to be subdivided from a larger parcel and will be described as Lot 1 of the 10th Street Bridge Minor Subdivision in exchange for Independence Bank owned property which is anticipated to be subdivided from a larger parcel and will be described as Lot 2 of the Independence Bank Minor Subdivision, and authorize the City Manager to execute the agreement.

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

Commissioner Robinson commented this is one of the most exciting things that has happened since he has been on the Commission. He thanked everyone that got involved, and concluded it is an exciting and great thing for Great Falls.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Commissioner Tryon requested background information about Independence Bank.

Tamariel Christopher, Independence Bank, commented that Independence Bank is a local Montana bank with headquarters out of Havre, and branches all across the hi-line. Great Falls is the bank's first metropolitan city to move to. They have been in Great Falls a couple of years with a loan production office and deposit production office, operating out of the second floor of the Milwaukee Station. They are excited to offer a full service branch to the Great Falls community.

Commissioner Houck noted the Independence Bank logo is on other buildings, and asked if the bank already had other buildings in the community.

Ms. Christopher clarified that the bank leases its space in the Milwaukee Station building.

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

Motion carried 5-0.

Commissioner Robinson moved, seconded by Commissioner Tryon, that the City Commission approve the Independence Bank Minor Subdivision 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 was any further discussion amongst the Commission members. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the 10th Street Bridge Minor Subdivision 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 was any further discussion amongst the Commission members. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

NEW BUSINESS

ORDINANCES / RESOLUTIONS

15. **RESOLUTION 10393, ADOPTING THE CITY OF GREAT FALLS WAYFINDING PLAN AND MEMORANDUM OF UNDERSTANDING.**

Planning and Community Development Director Craig Raymond reported that for years the City has had in its guiding plans and documents the goal of developing a cohesive wayfinding plan to guide visitors and residents to the downtown core as well as multiple other amenities such as

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

museums, River's Edge Trail trailheads, parks, Malmstrom Air Force Base, and several other locations. It is intended that by providing prominent, appealing signage, many who would otherwise simply travel through Great Falls or those who are not familiar with the area, will learn about the services, destinations, and points of interest that are available.

Five goals in the Wayfinding Plan include:

- 1) Establish clear and consistent citywide signage geared toward vehicles and pedestrians that connect residents and visitors with downtown Great Falls and the area's cultural, natural, and recreational amenities;
- 2) Incorporate elements from existing logo/branding efforts into the sign design;
- 3) Incorporate a variety of signs that reinforce a "sense of place and identity" providing visitors and residents with an understanding of where to find existing amenities and destinations;
- 4) Develop signs that add to Great Falls' aesthetics without creating clutter or discord; and
- 5) Ensure signs comply with all applicable local, state, and federal sign regulations.

The Memorandum of Understanding (MOU) sets forth the responsibilities of initial installation and maintenance. Director Raymond thanked Public Works Director Skubinna, Street & Traffic Manager Jorgensen, the City's sign crew, and the Downtown Development Partnership for their commitment and efforts to make this work.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10393.

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

Brett Doney, Great Falls Development Authority, appearing via Zoom thanked City staff and Joan Redeen for working through all of the issues. This project is another step forward for Great Falls.

Written communication was received from **Shyla Patera**, 1013 7th Avenue NW, applauding the City for pursuing grants to assist in wayfinding. As an advocate for wayfinding and other accessible opportunities, she hopes the City will continue community discussions regarding accessible, universally designed housing stock, and accessible and continuous sidewalks.

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

Commissioner Houck commented that this project has been marinating for many years, and was done cohesively. This project will attract tourism and assist residents in knowing more about what is in the community.

Commissioner Moe inquired about liability if the signage was not installed or maintained correctly.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Director Raymond responded that City staff would be reviewing the signage plans and inspecting the installations.

City Attorney Sara Sexe added if there is not an indemnification provision in the MOU, the City could request indemnification by the Business Improvement District if something happened in the future and they created the issue.

Commissioner Tryon requested clarification of items #9 and #10 in the MOU.

Director Raymond responded that the DDP would oversee the funding, installation and maintenance during the first life cycle (7-10 years) period. After that, maintenance of the signage will be turned over to the City subject to another written agreement that must be approved by the City Commission. Tax Increment Finance District funds may be used to fund the replacement of the sign inventory.

Manager Doyon added that the general fund is the other source of funding to refurbish the signs.

Mayor Kelly commented that there is an intangible benefit that comes from professionally done signage alerting people to where the amenities are. This is a long-term benefit to the community as a whole.

Director Raymond added that MOU item #14 also addresses future maintenance and funding.

Commissioner Robinson commented that he was sad to see that Memorial Stadium and both of the Great Falls Public High Schools were not added to the sports and entertainment category.

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

Motion carried 5-0.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the Memorandum of Understanding.

Mayor Kelly asked if there were any further comments from the public or discussion amongst the Commission members.

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

16. **RESOLUTION 10395, ESTABLISHING A CRIME TASK FORCE.**

Commissioner Tryon reported that the Commission requested that he work with the City Manager to pursue establishing a task force to address crime issues in Great Falls. The purpose of the crime task force would ultimately be to make recommendations to the City Commission and community to address crime issues immediately.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Initial meetings were conducted in anticipation of establishing a Task Force. Commissioner Tryon and Manager Doyon met with Chief Bowen, the three department Police Captains, a representative from the High Intensity Drug Trafficking Area (HIDTA) program and the local Drug Enforcement Administration (DEA) representative to begin understanding the current crime and the drug connection in Great Falls. In addition, Manager Doyon and Commissioner Tryon met with Judge Bolstad, City Attorney Sexe and County Attorney Racki, Chief Prosecutor Anthon and Deputy Chief Wayne Bye with Probation and Parole to obtain a judicial perspective.

As a result of these discussions and Commission discussions during goal setting sessions, Commissioner Tryon proposed a special advisory board or panel of seven (7) City residents, with the necessary background, training, education and experience in social sciences related to crime, to study the issues for three to six months, report to the City Manager, and provide concrete proposals for Commission consideration on how to deal with these issues. A proposal could potentially include a safety levy to fund resources to deal with the issues.

If the task force is in place quickly, he suggested expediting some of the task force recommendations so that the Commission can incorporate priority recommendations into this year's budget process.

Manager Doyon will make recommends on the composition of the task force to the Commission. To guarantee quorums at these meetings, he also suggested that four of the seven-member task force be City employees. The protection of life and property is amongst the highest priorities of the City, so the cost of employee time would be considered as something they should be doing and are paid to do.

Manager Doyon added that the difference with this task force is pre-work has already been done to educate ourselves on some of the current issues that first responders and others are facing. That pre-work will need to continue as an educational process with whomever is on the task force. Other representatives from downtown businesses or industry, the Chamber of Commerce, or groups that support or work with the mentally ill that may not have a seat on the task force will be invited to be part of the conversations and have opportunity to provide input from their perspectives.

With regard to the budget, he thinks the hard part for the task force will be determining where to make the most effect and have the greatest impact to curb some of the issues the City is seeing. As an example, if the task force suggestion was to add personnel to the Police Department, the City is in a much better position to take that recommendation and do something with it fairly quickly due to the City's current financial situation.

Commissioner Tryon moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10395.

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

Appearing via Zoom and speaking in support of Resolution 10395 was **Bruce Pollington**. He commented that law enforcement is something that is near and dear to all of us. However, trying to get some idea on how to effectively distribute resources and where those resources come from is a tough job. He thanked the Commission for considering this resolution.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

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

With regard to City staff serving on the task force, Mayor Kelly commented it is his recommendation that Manager Doyon recommend the seven individuals. He thinks one of the benefits to the credibility of this task force will be some expertise that some City employees may have especially from the law enforcement division, but also some outside influence looking in. He would like to defer to Manager Doyon's recommendation for City staff that are pertinent and have the ability to attend meetings.

Commissioner Houck commented she thinks everyone wants answers and suggestions sooner than later, but it may not be feasible by budget time. The Commission can consider placeholders in July and consider a budget amendment mid-year if need be. She suggested City employees Mark Willmarth and Susie McIntyre act as facilitators for the task force. She also suggested that the Commission be provided the task force meeting minutes and be updated at future work sessions.

Commissioner Moe commented that it is crucially important that the majority of the task force members not be City employees. It should be outside eyes looking in internally, and that the City employees be relied on to share their expertise and experiences with the task force. She spoke in opposition to shortening the timeframe, noting it's unrealistic to think the Commission would have any recommendations from the task force by the July budget timeframe. A concern she has heard is the task force is not large enough to have meaning. She thinks that can be addressed by having meetings that focus on one particular item at a time.

Commissioner Moe requested clarification regarding whether the two members of the Commission to serve as ex officio members were included in the seven members, or in addition to the seven-member task force.

Commissioner Tryon clarified that the task force would include seven members, and up to two members of the Commission to serve as ex officio, non-voting members.

Mayor Kelly commented that it is noted in the resolution that the meetings will be publicly noticed and minutes taken. Should more Commission members wish to attend meetings, notify the City Clerk so she is aware of a possible quorum issue.

Commissioner Robinson suggested an item be added on the Commission agendas for task force updates if there is something to be reported.

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

Commissioner Tryon summarized that the idea is to have a task force of people who have expertise or experience and that they are focused on providing actionable recommendations to the Commission.

Motion carried 5-0.

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

17. RESOLUTION 10396, RELATING TO \$5,995,000 CITY OF GREAT FALLS, MONTANA, TAX INCREMENT URBAN RENEWAL REVENUE BONDS (DOWNTOWN URBAN RENEWAL DISTRICT), SERIES 2021; AUTHORIZING THE SALE AND PRESCRIBING THE FORMS AND TERMS THEREOF AND THE SECURITY THEREFOR.

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 toward the project.

Resolution 10383, adopted on February 2, 2021, established 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 were subjected to the following conditions and limitations:

- (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%;
- (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.

Resolution 10396 will determine the form and details, authorizing the sale and delivery for the payment for a private, negotiated sale of \$5,995,000 City of Great Falls, Montana, Tax Increment Urban Renewal Revenue Bonds (Downtown Urban Renewal District), Series 2021.

On March 23, 2021, D.A. Davidson & Company and the City entered into a Bond Purchase Agreement, regarding the purchase and sale of the renewal and refunding bonds in the aggregate principal amount of \$5,995,000 at an aggregate purchase price of \$5,961,901.75. The true interest cost of the bonds is 2.986%, which meets the condition set forth in Resolution 10383 to not exceed 4.5%. The total debt service amount that will be paid is \$7,920,870.30. This is well below the \$8,829,810 approximate amount approved by the City Commission on December 1, 2020 for the façade project. The maximum annual debt service is \$414,150. The closing and delivery of the funds will take place April 15, 2021. The issuance of the 2021 bonds will extend the Downtown Urban Renewal District an additional thirteen years.

Commissioner Moe moved, seconded by Commissioners Robinson and Tryon, that the City Commission adopt Resolution 10396.

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

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Brett Doney, Great Falls Development Authority, appearing via Zoom urged the Commission to move forward with this project.

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

Commissioner Houck commented that she wished there would have been more included in this project, specifically the Mansfield Center, but is excited this project can move forward, and that it is not putting additional pressure on the City or taxpayers.

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

Motion carried 5-0.

OLD BUSINESS

Commissioner Robinson stepped away from the meeting at 8:58 pm and returned at 8:59 pm.

18. CONTRACT AWARD - CIVIC CENTER FACADE PROJECT (OF 1525.2).

Planning and Community Development Director Craig Raymond reported that City staff has been working on planning a façade renovation of the Civic Center in earnest at least since 2011. The City Commission has made significant investments in the project to this point through awarding design and construction drawing contracts and putting the project out for competitive bid.

The City conducted the bid opening on March 3rd. Six qualified bids were received ranging in price from \$7.9 million to \$5.4 million.

This project will replace large portions of the cast stone façade with new cast stone to match the existing pieces that will remain. The front stairs will be replaced and some mechanical upgrades to modern, high efficiency mechanical equipment will occur. All roof membranes will be removed, mechanical units on the roof will be removed to raise mechanical curbs, roof drains will be replaced, new roof membrane installed, and mechanical units will be re-set for the roof covering the entire Civic Center. He suggested an early opportunistic pitch for COVID funds as an opportunity to invest some of those funds into increased energy efficiency by replacing more of the aging mechanical equipment of the Civic Center while it is being removed from the roof anyway. As much as we dislike and try to avoid change orders, given the circumstances, this may be a good opportunity to consider that.

Construction would be conducted in 4 phases, in 578 calendar days and briefly described as follows:

- Phase one: East entry temporary protection phase. Work on this phase shall commence and be substantially complete and ready for use after the Notice to Proceed and prior to any building envelope work progressing
- Phase two: Envelope repair, façade cast stone and cast stone trim replacement and backup wall improvements/reinforcement (all sides).
- Phase three: East entry stair and accessories replacement/repair.
- Phase four: Roof replacement

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

Commissioner Houck moved, seconded by Commissioner Tryon, that the City Commission award the construction contract in the amount of \$5,411,682 to Talisman Construction Services, Inc. for the Civic Center Façade and roof replacement, and authorize the City Manager to execute the construction contract documents.

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

Appreciation was expressed to Director Raymond for his due diligence to this point.

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

Motion carried 5-0.

19. WATER TREATMENT PLANT FILTRATION IMPROVEMENTS, PHASE I (OF 1637.1).

Public Works Director Paul Skubinna reported that the requested action for this item is for the Commission to consider and approve final pay for Sletten Construction for the Water Treatment Plant Filtration Improvements Phase I project. There has been notable Commission interest in this project due to a substantial change order that was incurred. Understand that this final pay action this evening is for the construction contractor, Sletten Construction, and not the parts supplier of the valves, actuators and other various construction materials that were delivered late, resulting in the bulk of the change order. The City contracted with the materials supplier vendor directly and separately from the construction contractor.

With that, Sletten achieved substantial completion of the project on December 31, 2020, and has completed all of the punch list items. The total payment to Sletten is \$32,940 less than the total amount of the contract including Change Order 1. With this final payment the total compensation to Sletten, including all change orders, will be \$4,173,210, which remains about \$263,000 below the next lowest bidder.

The new filters are performing well with 30% longer run times and about 25 to 40 % less treated water consumed to clean the filters. There were some bumps along the way but this first phase of the project was a success. Had it not been for the schedule delays caused by the late material delivery the project would have still required a change but the cost over-run would have been only 0.4% of the total construction cost.

Public Works and the City Attorney remain engaged in negotiations with the valve supplier to arrive at an adequate resolution to the project expenses that were incurred due to the late delivery of components.

Staff recommends approval of final pay to the Construction Contractor, Sletten Construction.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve Final Payment for the Water Treatment Plant Filtration Improvements, Phase I, in

JOURNAL OF COMMISSION PROCEEDINGS

April 6, 2021

the amount of \$204,156.81 to Sletten Construction and \$2,062.19 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments.

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

Commissioner Tryon requested clarification regarding where the money came from for this project.

Director Skubinna responded that the primary source of funding for this project was the Water Utility Enterprise Fund, that is generated through the rates collected from users within the system.

Commissioner Tryon inquired if an increase in rates to the consumers is anticipated.

Director Skubinna responded that no rate increases are contemplated for this or last year.

Commissioner Tryon expressed appreciation for the work being done to recover more than 10% of the change order from Core and Main, and requested that the Commission continue to be updated.

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

Motion carried 5-0.

CITY COMMISSION

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS

Commissioner Moe acknowledged City Attorney Sara Sexe for the terrific job she has done for the City and Commission members. There will be a time to say good-bye, but it's never too soon to say thank you.

21. LEGISLATIVE INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of April 6, 2021, at 9:16 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: April 20, 2021