

JOURNAL OF COMMISSION PROCEEDINGS
May 18, 2021

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. Also present were: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Finance Director Melissa Kinzler; Planning and Community Development Director Craig Raymond; Public Works Director Paul Skubinna; Park and Recreation Director Steve Herrig; City Attorney Sara Sexe and Deputy City Attorney Jeff Hindoien; and, Police Chief Jeff Newton.

Public participation is welcome as follows:

- Attend in person. 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, May 18, 2021, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties.
- 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.

Mayor Kelly read a proclamation he presented at a ceremony on May 14, 2021, recognizing Police Week (May 9-15, 2021) as well as Peace Officers' Memorial Day (May 15, 2021).

PETITIONS AND COMMUNICATIONS

Mayor Kelly noted that many in attendance submitted written concerns about the energy opportunities for the Aim High Big Sky Indoor Aquatic and Recreational Facility. However, what is on the agenda this evening is consideration of a Conditional Use Permit and vacating certain streets and alleyways. It is not the time to discuss design desires that many in the audience would like to address. He acknowledged the many written communications received and directed those wishing to also comment

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

may do so under Petitions and Communications.

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Gerry Jennings, City resident, commented that Earth Day to her is very special. She believes the earth is in trouble, and has concerns about climate change. There used to be fire seasons and now there are fire years. To the design architects of the Aim High Big Sky facility she suggested use of more energy efficient systems.

Charles Kuether, 6 Bear Paw Place, is in favor of the Aim High Big Sky facility, but expressed concerns about the ongoing costs once construction has been completed. To reduce costs in the long run, he suggested a ground source heat pump or a geothermal system be used to heat and cool the building. He noted that Montana State University and Bismarck State University are currently using and expanding use of these systems.

Sue Effertz, 6 Bear Paw Place, read portions of her previously submitted written comments pertaining to use of geothermal energy. If the cost of the Aim High Big Sky facility is \$20 million, the approximate \$1 million dollar up front cost for this technology is good use of funds. She noted that her written communication contained YouTube video links as well.

Richard Liebert, 289 Boston Coulee Road, commented that the Aim High Big Sky facility could be a bold signature opportunity for Great Falls, similar to the Civic Center building back in the 1930's. The energy this facility is going to use must be measured and demands the highest efficiency possible. He suggested that the architect consider facing the facility to the south to get the best energy efficiency from the sun. If it cannot be afforded now, he suggested the facility be built so that it is ready to add a solar module.

Ken Palisin, 1200 32nd Street South, suggested the use of municipal solar-type bonds with the sun as collateral.

Daniel Hartzell, 609 Central Avenue, commented that he suggested to the state that it appropriate \$1.5 million dollars for family care centers. He also suggested the name Civic Center be changed to "City Hall" on the outside of the building.

Aaron Weissman, City resident, thanked the Commission for its leadership in bringing an in-door pool back to Great Falls. About 10 years ago in an effort to save the Natatorium, the Wayne and Sandy Thares family gave him an architectural drawing titled "The New Morony Natatorium" for use in some type of fund raising efforts. Mr. Weissman gave the drawing to the City of Great Falls for whatever purpose it wants to use it, but he hopes it will be hung up at the new pool facility.

The Commission applauded and thanked Mr. Weissman for his donation. Commissioner Houck recognized Mr. Weissman as a proponent for all of the community for in-door swimming and recreation, and as a leader in getting information out to the community regarding why it is so important.

Brett Doney, Great Falls Development Authority, shared the latest Montana Department of Labor statistics for the City of Great Falls – 929 fewer people employed in the city than in March of 2020.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Supplemental unemployment insurance is ending. There will be childcare and transportation challenges for some people to get back to work.

David Saslav, 2736 Clover Drive, thanked Director Herrig for inviting him to participate in the Aim High Big Sky facility energy panel to discuss design ideas that L'Heureux Page Werner (LPW) and Morrison-Maierle were pursuing. The architects can design highly efficient energy constructs on the facility, but it is a question of what Great Falls is willing to pay for it in terms of the upfront expenditures for the construction of wells, panels or turbines. He suggested looking at the bus routes to make sure there is good public transportation options to reduce the number of cars parked and the expenditure of fuel to reduce carbon monoxide in the environment as a result of this project. Mr. Saslav also suggested hiring outside help to perform an energy audit on all City owned buildings to see what can be retrofitted to increase efficiencies.

Ken Thornton, 31 Paradise Lane, read portions of his previously submitted written comments pertaining to his concerns that a solar energy component is not being included in the HVAC life cycle analysis of the Aim High Big Sky facility. He asked the Commission not to treat it as adding solar on later for environmental reasons, but to treat it as an economic viability. He suggested the cost of \$40/ton for CO₂, as set by the federal government, also be used in the analysis.

Stuart Lewin, 615 3rd Avenue North, is in support of looking forward as much as possible for the Aim High Big Sky facility to be as energy efficient as possible. As a member of Missouri River Citizens, he expressed concern about legislative impacts on water due to Great Falls being downstream from a potential copper mine.

Talon Harrington, City resident, commented that he attended the Park District work sessions and a pool such as the Aim High Big Sky facility was in the dream section on that plan. In response to contradictory comments he has heard, Mr. Harrington commented that the facility location is easily accessible, already City-owned, City hookups can be easily added, and will make the area of town more likely to see businesses that will want to build near it. He also hears "why should the City be in this business." Mr. Harrington concluded that this partnership is the best possible scenario, is a great addition for the City, will raise quality of life and home valuations, and statistics show that area pools have lower crime rates. The City needs to make sure it meets the target dates as they are coming up quickly.

Kevin Westie, 602 35th Street North, noted it is now common practice for engineering and architectural firms to look at energy efficiency when constructing new buildings. He suggested a geotech report be done if ground source heat systems is going to be considered because the ground can become saturated.

Mayor Kelly thanked those commenters for respecting the fact that the energy related comments pertaining to the Aim High Big Sky facility be done at this portion of the meeting. There may be Commission questions for the architects during consideration of the Conditional Use Permit (Agenda Item 12). Based upon the comments made, there may be an opportunity for Tim Peterson, L'Heureux Page Werner (LPW), to address some of the types of things that have been done already to address energy efficiency.

NEIGHBORHOOD COUNCILS

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly noted that Scott Miranti of Neighborhood Council 9 presented an update at the work session.

BOARDS AND COMMISSIONS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Owen Robinson noted that he was newly appointed to the City-County Health Board when the Board was interviewing for the Health Officer position and Tricia Gardner was chosen. She stepped in at the most critical time for a health officer in Cascade County.

Tricia Gardner, Health Officer, City-County Health Department, updated the Commission on the following:

- Covid restrictions have been lifted in the county and state
- The Centers for Disease Control (CDC) is now recommending, if people are two full weeks past their second shot of the Moderna or Pfizer vaccination or two weeks past their first shot of the Johnson and Johnson vaccination, they do not need to be masking. However, the CDC does caution people with underlying conditions or are immunocompromised to still take precautions and talk with their doctor before taking that step
- CDC recommends that unvaccinated individuals take all precautions
- Testing continues and is widely available around the City
- As of last Wednesday, the case rate was 28 per 100,000
- To date, there have been 9,174 cases in Cascade County
- 27 new cases today
- Both hospitals are still seeing patients with Covid, and are at capacity. As of today, Benefis had 12 patients with Covid
- The bulk of the cases now are between ages 20-40
- 18 cases to date of fully immunized people still catching Covid. Those people were 60+ years of age with underlying health conditions
- They have seen 13 variant cases to date that are being tracked
- As of May 11th, the positivity rate was at 7.7. They want to see that number below 5%
- Thirty-six percent of eligible population in Cascade County are fully vaccinated
- The vaccine is available throughout the community. She encouraged people to use vaccinefinder.org, to choose the vaccine and make an appointment

On behalf of the Commission, Commissioner Robinson provided Health Officer Gardner a card of appreciation for her work during this very difficult year.

Commissioner Moe commented that there has been no crises like Covid 19 in our lifetime. In the center of a 21st century pandemic, Tricia Gardner and our nation's public health officers were suddenly

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

charged with not just understanding a disease no one had seen before but giving directives that were hard for people to take, but could and did save lives.

During the pandemic nearly 250 public health officials in communities all across this nation left their jobs, mainly because of threats and political pushback. The Chief Public Health Officer for the State of Montana and for the Counties of Flathead, Ravalli, and Pondera were among them. By February of this year, nearly one in six Americans was living in a community at the height of a pandemic without a public health officer. Great Falls, Montana was not one of those communities, because Tricia Gardner kept her wits about her. As the crises intensified, she focused on what mattered and got the job done.

On October 16th, Benefis Chief Medical Officer stated we were in a healthcare crises. On October 25th between new patients and exposed healthcare workers, we had more sick people than beds in the City. In mid-November, Cascade County hit its peak of mortality rate. The Board of Health zoom meetings got ugly during that time. But, the Board, led by Health Officer Gardner, kept focused on what would keep us safest in the short term and Covid free in the long term.

Commissioner Moe concluded by reading a poem titled “To Be of Use” by Marge Piercy.

CITY MANAGER

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon made the follow announcements:

- Four new Great Falls Fire Rescue firefighter candidates began their training, with a completion date of July 9th
- The City is recruiting for a Grants and Project Administrator until May 16th. The position and requirement information can be found on the City’s website
- The City is implementing multi-factor authentication to bolster its cyber security
- The City is transitioning to a new health insurance plan, a self-funded model with Blue Cross Blue Shield of Montana
- Negotiations with all of the Collective Bargaining Units is ongoing, and agreements will be brought before the Commission for ratification

CONSENT AGENDA.

5. Minutes, May 4, 2021, City Commission Meeting.
6. Total Expenditures of \$2,296,339 for the period of April 22, 2021 through May 5, 2021, to include claims over \$25,000, in the amount of \$1,847,297
7. Contracts List.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

8. Approve the bid award for asphaltic concrete material to Great Falls Sand & Gravel, Inc. of Great Falls in the amount of \$787,550.
9. Approve final payment for the Water Treatment Plant Improvements Phase 1 – UV and Chemical Building, Surge Tank, and Electrical Building, to Sletten Construction Company in an amount of \$22,262.13 and \$224.87 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1519.6**
10. Set a public hearing for June 1, 2021 to consider the 2020/2021 Tourism Business Improvement District Budget Amendment.

Commissioner Robinson moved, seconded by Commissioner Moe, that the 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

11. **RESOLUTION 10399, APPROVING AN INDUSTRIAL DEVELOPMENT PROJECT PROPOSED BY THE GREAT FALLS INTERNATIONAL AIRPORT AUTHORITY WITHIN THE GREAT FALLS INTERNATIONAL AIRPORT DISTRICT; APPROVING THE APPLICATION FOR USE OF TAX INCREMENT REVENUES AND TAX INCREMENT REVENUE BONDS TO PAY, REIMBURSE OR FINANCE THE COSTS OF ASSOCIATED INFRASTRUCTURE IMPROVEMENTS, MAKING A REIMBURSEMENT DECLARATION AND APPROVING THE ASSOCIATED DEVELOPMENT AGREEMENT.**

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

Planning and Community Development Director Craig Raymond reported that this public hearing is for consideration of expenditure of public funds from the Great Falls International Airport Tax Increment Financing (TIF) District infrastructure improvements that will enhance and create further development opportunity within the Airport TIF district.

The Great Falls International Airport Tax Increment Financing Industrial District Plan was adopted by the Great Falls City Commission on November 5, 2008. The boundaries were amended on September 1, 2009. The Airport TIF District is unique in comparison to other industrial TIF Districts in that it is an Industrial Tax Increment Financing District as opposed to a Targeted Economic Development District.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Prior to 1989, tax increments could only be used for rehabilitation efforts within urban renewal areas, but the Montana legislature amended the Montana Urban Renewal Law to enable municipalities to create TIF Industrial Districts (TIFID) to assist in the development and retention of secondary, value-adding industries. Montana has defined “secondary, value-adding industries” as those industries that transform raw resources into processed substances from which industrial or consumer products may be manufactured. The new Industrial TIF program created new opportunities to stimulate and support certain industrial businesses, but it also had constraints.

In 2013, the State created Targeted Economic Development Districts, otherwise known as TEDDS, and eliminated the previously allowed Industrial TIF Districts. While new TIFIDs cannot be created any longer, existing TIFIDs were allowed to continue their existence until they sunset. Additionally, remaining TIFIDS must follow the regulations in place at the time of their creation, limiting the activities that are supportable by TIF increment funds.

The Great Falls International Airport Authority is seeking TIF funds to begin development of a 300-acre area west of the Cascade County Detention Center, north of the I-15 corridor and south of the Ulm North Frontage Road. The area is owned by the Airport and was identified in the Airport Authority Master Plan Update for aviation commercial development. TIF funds are being requested to support construction of the following infrastructure improvements: water service lines, sewer service lines, storm sewer improvements, including a new detention pond, electric/data service lines, two roadway access points into the site and a circulation road that would both support the proposed development and open up additional area for future development. The infrastructure improvements will be constructed on land that is currently owned, and will continue to be owned, by the Airport. The infrastructure improvements will be constructed to support a phased industrial development project consisting of industrial condo spaces. Eventually, there will be large metal buildings subdivided into condominium bay spaces that will be marketed and leased or sold to businesses and individuals. The buildings will be capable of accommodating businesses looking for anywhere between 1,250 square foot bays to an entire 30,000 square foot building. The first phase of development will include construction of the infrastructure improvements as well as construction of a single building containing three to eight full drive-through bays, which could be further divided into six to 16 half-bays. At this point, Falls Truck Wash is one known building tenant and would utilize two of the building bays.

This project is estimated to require an investment of \$973,028 prior to building construction. The applicant is seeking \$110,000 of available cash on hand from the GFIA TIFID to reimburse eligible expenses. Additionally, the applicant has requested that the City bond against current and future TIF increment revenue to reimburse the Airport for an additional \$652,780 of eligible construction costs. This creates a total request of \$762,780 for TIF funding. The overall investment in the project over a 20-year development period, including the TIF contribution, is estimated to be over \$12.5 million dollars.

The proposed improvements specifically serving the new industrial complex are located within the boundary of the TIF District.

Staff has prepared a careful analysis of the review criteria as mandated by State Statute and the Great Falls City Commission. The findings of the review criteria are contained in the agenda report for consideration today and are in support of staff’s endorsement of the TIF funding request as outlined in the TIF application, Development Agreement and Agenda Report provided that the businesses and

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

industry to be located within the development are consistent with the criteria established for Industrial TIF districts in that they are secondary value added industrial businesses.

At its February 23, 2021 meeting, the Planning Advisory Board considered and recommended that the City Commission approve the TIF funding request.

Mayor Kelly asked if the applicant was present and wished to make any additional comments.

John Faulkner, Great Falls International Airport Director, 2800 Terminal Drive, added that there are few industrial small spaces in Great Falls for people that want to start a business, move a business or expand a business. Oftentimes, subdividing a lot and all that goes with it is beyond small businesses. This project will allow building these economies to scale for smaller operators, such as fabricators, paint shops, and businesses that bring in parts for assembly. The condo units can be owned or leased and will have the industrial infrastructure for businesses that he feels is an unfilled need in the community. Trucking lines and Montana's only Fed Ex hub is right there at the Airport and small businesses will benefit from those proximities. This business model will be advantageous for the community in terms of growing these small businesses and allowing them to grow into larger spaces.

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

Commissioner Tryon inquired if the requested action was to approve the expenditure of \$110,000 of the \$118,000 available in the TIFID fund, in addition to agreeing to go into debt for the remaining \$652,000 that is required to do the total construction costs.

Director Raymond responded in the affirmative with regard to the expenditure of \$110,000, and explained that the right conditions have to exist within the TIFID district in order to pay debt service. There will be more work that will take place and more resolutions in order for the bonding to go forward.

Director Kinzler added that there is language in the Development Agreement that sets forth when the increment is available to make the debt service payments, the City will bond. The Commission will have additional resolutions to consider and adopt before bonding occurs.

City Attorney Sexe added that there is also language in the Resolution that a bond resolution will be brought before the Commission at a later time.

Mayor Kelly clarified that the TIFID district will be the source of funds for repayment of debt, not the citizens of Great Falls.

Commissioner Tryon noted, if the Commission were committing to the entire amount, then the TIFID district would need to be extended.

Director Raymond responded that is correct only if the bonds are issued.

Commissioner Moe commented that TIFIDs are unusual, and it is good to have a number of options available. She would think the Commission would want to keep this TIFID from sun setting to keep this additional option that will otherwise go away in 2023.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Director Raymond noted that the new TEDDs are broader and more flexible than a TIFID.

Commissioner Houck was informed that the new condo/buildings would fall under City building codes.

Mayor Kelly asked if there were any comments from the public in support of Resolution 10399.

Brett Doney, Great Falls Development Authority (GFDA), commented that there is very little, modern industrial space available for businesses of any sizes in the City. Entrepreneurship has always been important to Great Falls. These types of spaces have proven to be very successful in other communities. This is a great use of TIF funds.

Shane Etwiler, Great Falls Area Chamber of Commerce, 100 1st Avenue North, commented that TIF funds and the use of bonds to create entities is a great economic leverage to use. Director Faulkner is a proven Airport Director and has a pattern of success. This is a phenomenal project. He noted discussions about the Ground Based Strategic Deterrent (GBSD) Missile Program bringing in manufacturing facilities to continue to manufacture components that these missile systems are going to need.

Kevin Westie, 602 35th Street North, commented that we do not need low income funding for low-income housing, we need factories here that this project will create. Factory paying jobs will put pressure on other companies to pay better wages to employees.

Talon Harrington, City resident, inquired the timeline of when the buildings would be constructed.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10399. Hearing none, Mayor Kelly asked if staff or the applicant wanted to respond to any of the comments.

Airport Director John Faulkner, applicant, commented that the plan is to start infrastructure construction immediately. There has been preliminary designs and conversations with the Montana Department of Transportation (MDT) about access from the frontage road. The hope is utilities will be in the ground this year and units in place by the end of the next construction season. The biggest concern is being able to contract labor right now to get the utilities built.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10399, approving an Industrial Development Project proposed by the Great Falls International Airport Authority within the Great Falls International Airport District; approving the application for use of tax increment revenues and tax increment revenue bonds to pay, reimburse or finance the costs of associated infrastructure improvements, making a reimbursement declaration and approving the associated Development Agreement.

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

Commissioner Tryon expressed appreciation for the work everyone has done on this project.

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

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Motion carried 5-0.

12. AIM HIGH BIG SKY INDOOR AQUATIC AND RECREATIONAL FACILITY – LIONS PARK (OF 1770).

I. RESOLUTION 10400, APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN “INDOOR SPORTS AND RECREATION” LAND USE IN THE PARKS AND OPEN SPACE (POS) ZONING DISTRICT AT THE PROPERTY ADDRESSED AS 900 29TH STREET SOUTH.

II. RESOLUTION 10402, RESOLUTION TO VACATE 28TH STREET SOUTH BETWEEN 8TH AVENUE SOUTH AND 10TH AVENUE SOUTH, 9TH AVENUE SOUTH AND 9TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 29TH STREET SOUTH AND 10TH ALLEY SOUTH BETWEEN 27TH STREET SOUTH AND 28TH STREET SOUTH; AND A NON-ADMINISTRATIVE PLAT TO AGGREGATE ALL ASSOCIATED PARCELS AND THE RIGHTS-OF-WAY TO BE VACATED.

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

Planning and Community Development Director Craig Raymond reported that this public hearing is for consideration of a Conditional Use Permit to construct and operate an indoor sports and recreation facility in the Parks & Open Space zoning district and vacation of City rights-of-way.

Director Raymond reported that the primary review criteria for a basis of decision are:

1. The zoning and conditional use is consistent with the City’s Growth Policy and applicable neighborhood plans, if any.
 - Social: The social element recognizes that the biggest asset the City has is its people and their well-being.
 - Economic: An excellent opportunity to grow and develop the relationship with key partners in the community including the community’s military partners.
 - Physical: The project will enable the City to utilize and enhance a park with a facility that will benefit the whole community. The City will be able to utilize existing utilities and enhance the infrastructure system within both the park and surrounding areas.
2. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.
 - Allow for a new facility that would fill voids in the City; replacing the closed Natatorium; executing a partnership with Malmstrom Air Force Base to provide a training facility that is lacking in Great Falls.
 - Will give the community a new facility with many health benefits.
 - Facility will enable the Park and Recreation Department to continue providing recreational opportunities to the community as well as increase opportunities due to greater programming capacity.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
 - Facility is strategically placed closer to the commercial uses of the areas.
 - Parking has been designed to disperse the parking throughout the site, minimize large areas of asphalt and preserve as much greenspace as possible.
 - Facility is placed in an area that would not interfere with other elements of the park such as the memorial, trails, and the pavilion.
4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - The facility is being located with sensitivity so as to not be obtrusive onto adjoining property.
 - Location will not impact development of adjoining properties. Adjacent property lines, setback areas and access points are maintained.
 - The applicant is proposing to create a small developable parcel that fronts 10th Avenue South for possible future development that is harmonious and consistent with existing commercial uses.
5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
 - Being adjacent to a high-volume transportation network is ideal when siting commercial uses to help disperse traffic from the building.
 - Given the commercial/residential transition characteristics of the site, the access points are being located to minimize traffic being directed to the residential area as much as possible.
 - The area is well served by existing City utilities. Due to the location of existing water main, the project will include a relocation around the new building.
6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - Access is to come off 29th Street South in order to anticipate the majority of the traffic coming from 10th Avenue South and to reduce the amount of traffic dispersing into the adjacent neighborhood.
 - Parking facilities have been provided to minimize on-street parking in the neighborhood. A traffic analysis has been provided and included with this agenda report.
 - Traffic Analysis: Installation of nearby ADA ramps, monitoring of on-street parking activity along 29th Street South, as well as traffic count collection at various intersections along the 29th Street South corridor.
7. The conditional use shall, in all other aspects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.
 - Per the Official Code of the City of Great Falls, the Parks and Open Space zoning designation does not have specific district development standards as far as density,

JOURNAL OF COMMISSION PROCEEDINGS


May 18, 2021

height, setback regulations are concerned. The applicant is requesting that Public Lands & Institutional standards be applied to this site.

Staff recommends approval of the CUP and the Non-Administrative Plat with the following conditions:

- **Development Standards:** The proposed project shall be developed in compliance with the development standards as set forth in Exhibit 20-4 in the Land Use chapter of Title 17. The proposed project will follow the standards for the PLI Public Lands and Institutional zoning district.
- **Parking:** The minimum required parking on site will be set at 130 spaces with the possibility of expanding up to 180 spaces within the project area.
- **Landscaping:** The City's landscaping requirements will be 10 boulevard trees along the project's 29th Street frontage, but placement shall be allowed within both the boulevard and project area; the off-street vehicular area landscaping requirements may be met through additional landscaping provided outside the boundary of the proposed parking area; the rate of planting required shall be 25 trees and 100 shrubs including perennial substitutional at a ratio of 2:1.

Park and Recreation Director Steve Herrig reviewed and discussed the Project Background and Location PowerPoint slides:



• The City of Great Falls adopted a new Park and Recreation Master Plan in October of 2016

- It provides a detailed analysis of the community's park and facility inventory as well as both facility and maintenance needs for the department
- June of 2020, the City submitted an application to the former Office of Economic Adjustment, now the Office of Local Defense Community Cooperation (OLDCC), for a Defense Community Infrastructure Program (DCIP) grant
- 10 million dollar grant with a 10 million dollar match to build a new indoor aquatic and recreation center for the city

CAPITAL IMPROVEMENT PROGRAM	
VISIONARY	
PROJECT	COST
Construct a \$10.000 sq. ft. Multi-Generational Center that replaces the existing Recreation Center and Entrance	\$18,000,000
Rehabilitate the Malmstrom Air Anniversary Hill Golf Course and convert Campground/Recreation Area through private public partnership	\$100,000
TOTAL	\$18,100,000


Project Background



- Lions Park was established in 1952 by Resolution 4420
- Park system inventory in 1961, was tentatively planned to have a swimming pool
- Located between 27th Street South and 29th Street South, and 8th Avenue South and 10th Avenue South
- Approximately 14 acres with several amenities such as the Lions Club Memorial, tennis courts, a swing set and a pavilion.




Location



Emphasis of the grant is to create a City and Malmstrom Air Force Base partnership to accomplish goals for the community:

- create a training facility for Airmen to alleviate the cost of Temporary Duty (TDY) training for required water rescue
- improve the quality of life for Airmen and their families as well as residents in the community
- bring the community together as a whole.



Air High Sky Recreation Center
Local Civil, Veterans, Defense Community Infrastructure Program (DCIP), Military Community Infrastructure Program (MCIPI), Department of Defense

Point of Contact
Project: S. Deane, City Manager, 406-473-5495, sdeane@cityofgreatfalls.com, 1100 of Great Falls, Montana
Physical Address: 1100 of Great Falls, 59704
Mailing Address: P.O. Box 5101, Great Falls, MT 59403

Introduction
The City of Great Falls, MT, is excited to submit a grant request to support a new Indoor Aquatics and Recreation Center in Great Falls, Montana. The project is a partnership between the City of Great Falls, Montana and the Malmstrom Air Force Base. The project is a partnership between the City of Great Falls, Montana and the Malmstrom Air Force Base. The project is a partnership between the City of Great Falls, Montana and the Malmstrom Air Force Base.

Background
The Air Force continues to provide excellent training, and we are proud of the partnership between the Air Force and the City of Great Falls, Montana. The Air Force continues to provide excellent training, and we are proud of the partnership between the Air Force and the City of Great Falls, Montana. The Air Force continues to provide excellent training, and we are proud of the partnership between the Air Force and the City of Great Falls, Montana.

Project Background

JOURNAL OF COMMISSION PROCEEDINGS

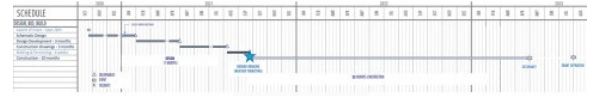
May 18, 2021

Tim Peterson, L’Heureux Page Werner Architecture (LPW), reported that additional members of the team include: TD&H Engineering, Nagel Design Interiors, Morrison-Maierle (mechanical engineering), WTI (pool design) and PROS Consulting (pro forma for the facility). Mr. Peterson reviewed and discussed the Project Parameters, Project Schedule, Overview, and Considerations for Lion’s Site PowerPoint slides:

Project Parameters

- Project timeframe is unusual, condensed, and driven by the DoD
- Design team was selected after award of grant and began due diligence
- Project has been presented at Neighborhood Council Meetings on 3 occasions
- Project updates have been presented to commissioners bi-weekly
- Input from swim groups, Malmstrom spouses club, green energy group, runners, kayakers, coaches, referees
- Information published on City FAQ site, in The Electric, Tribune, KRTV

Project Schedule



- Pace of Project is stipulated by the DoD Grant
- Construction Systems. Selection factor is for expedited construction to reduce impact on neighborhood

Overview

- Site Location Selection
 - Original Site – 57th Street
 - North Kiwanis Park
 - Lions Park
- Considerations
 - Great youth access to the facility
 - 862 kids within 1 mile walking distance
 - 6 parks within 1 mile radius
 - Chown Springs
 - Sand Hills
 - Charles Russell
 - Dudley Anderson
 - Sunrise
 - Boston Heights (small)



Considerations for Lion's Site

- Accessibility is more centralized and promotes greater community access.
- MAFB recommended the location as compared to N. Kiwanis and felt it offered better Airmen Access
- Overflow accessibility using Lincoln School Parking lot (on weekends)
- Site development leaves ~ 8 acres of park land (Park is ~11.7 acres, building and parking is ~3.59 acres)
- Use of facility will likely deter criminal activity in Lions Park.
- Commercial Properties on 3 sides
- Design is driven by programming that will help generate sustainable revenue.

Mr. Peterson further reviewed and discussed PowerPoint slides detailing the facility 1st and 2nd Floor Plans, as well as several conceptual site plan renderings of the facility. The building is as far southeast as possible, away from the neighborhood and closer to 10th Avenue South, to minimize disruption and traffic in the neighborhood by bringing all of the access points off 29th Street South. The Park and Recreation Department will install a new restroom this summer, the current swing set will be moved, and the other amenities at Lion’s Park will remain.

Mayor Kelly requested that Mr. Peterson respond to the comments he heard earlier this evening and about the steps the design team took.

Mr. Peterson noted that the team had a couple of meetings with members of Citizens for Clean Energy. The team is doing everything they can do within the current project budget to make the facility as energy efficient as possible. He reviewed the following high points:

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

- Architectural Design – The team is using the State of Montana High Performance Building Standards (which is not required for this project). Energywise, it is 20% better than what the International Energy Conservation Code requires; 50% better U-Factor for windows; 50% better R-Factor for walls; and, 20% additional roof insulation.
- Leed Performance Scoring - The Leed project checklist for scoring consists of: location and transportation, sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. As of now, the team feels it can meet 37 points on that scorecard. Twenty points are easily achievable if asked to do at an additional cost. Sixty points is required to meet a Leed Certified building. The City did not direct the team to go through the Leed process, which he estimates would have added \$50,000 to the costs.
- Electrical – LED lighting; control systems with occupancy sensors; daylight harvesting; solar ready; and roughed in conduits in parking lot for future vehicle electrical charging stations.
- Mechanical – high efficiency condensing boilers for the heating system and the pool water heating system. The pool water heating system itself is being designed to tie into ground source heat pumps if that funding ever becomes available in the future. The pool designers have done ground source heat pumps for pools, but noted they are typically used for supplemental heating. Two alternates are also being looked into – a water source condenser and an exhaust heat recovery system.

Mayor Kelly called a recess at 9:10 PM and called the meeting back to order at 9:17 PM.

There being no further questions of the applicant or staff, Mayor Kelly asked if there were any comments from the public in support of Resolution 10400 or Resolution 10402.

Richard Liebert, 289 Boston Coulee Road, commented this is a great facility and a great opportunity for health, wealth, fitness and welfare.

Brett Doney, Great Falls Development Authority (GFDA), urged the Commission to move forward with this important project.

Aaron Weissman, City resident, applauded the Commission for its efforts in bringing in-door swimming back to Great Falls. He encouraged staff to bring the Lincoln School PTA into discussions.

Shane Etwiler, Great Falls Area Chamber of Commerce, 100 1st Avenue North, commented that the Chamber and the Montana Defense Alliance wrote letters of support for the grant to the Department of Defense. Great Falls currently scores on the low end of the scale due to lack of amenities for livability in a community. This is a phenomenal project to add to the amenities for our military and community. The support of the Department of Defense in the community of Great Falls is incredible.

Sherrie Arey, City resident, commented that this aquatic center will be the place that children will talk about 50 years from now of where they learned to swim.

Written communication was received from: **Cheryl Reichert, MD, PhD**, founder and member, Citizens for Clean Energy Inc., in support of plans for the Aquatics Recreation Center at Lion's Park,

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

and in support of direct Tenth Avenue South access, and incorporating solar and geothermal energy into the construction plans; **Charles Bocoock**, #51 Prospect Drive, in support of the CUP to build the Aquatic Recreation Center at Lion's Park, and advocating for the use of geothermal energy to heat the facility; **David Saslav**, suggesting the maximum amount of solar, wind and/or geothermal energy sources be included in the initial design plans for a power-intensive project like the Aquatics Recreation Center; **Dorothy Starshine**, 1200 32nd Street South, in support of renewable energy for the Aquatic Center even if it costs more; **Lita Sharone**, in support of incorporating alternative energy systems from the outset and suggesting that the initial extra costs will be offset in about five or so years; **Ken Thornton**, suggesting that it would not be good engineering or economic practice not to fully explore as many solar options as possible; **Ken Palisin**, suggesting use of the municipal bond market for solar installation during initial construction for cost savings over the life of the building; **Sue Effertz**, advocating for a ground source heat pump geothermal system in the aquatic and recreation center; **Shannon Wilson**, 1201 6th Avenue South, encouraged more forward thinking before a final design is accepted, and that renewable energy options should not be considered as "extras" for the project, but at the forefront; **Clark Carlson-Thompson**, President, Board of Directors, Get Fit Great Falls, in support of the aquatics center proposed for Lion's Park; **Joan Redeen**, City resident, encouraged Commission support of this project; **TJ Ferrin**, in favor of the aquatics center; **Bill Ferrin**, Military Affairs Committee (MAC) Chairman, the MAC fully backs the Aim High Big Sky Aquatics Facility and resolutions presented tonight; **Any Ferrin** and **Kellie Pierce**, on behalf of the Downtown Great Falls Association, in support of the Resolutions 10400 and 10402.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10400 or Resolution 10402.

Jeni Dodd, City resident, commented that she is not opposed to the project, but has concerns regarding: total budget for the project, soil adequacy for the building, contingency plan for increased construction costs, City versus privately managed facility, use of general fund if the facility is not self-sustaining; a biased process for contracting; traffic impacts; and, competing against private businesses for the non-water activities proposed for the project.

There being no one further to address the Commission, Mayor Kelly asked if the applicant or staff wanted to respond to any of the comments. Hearing none, Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10400, a Conditional Use Permit to allow an "Indoor Sports and Recreation" land use in the Parks and Open Space (POS) zoning district at the property addressed as 900 29th Street South, and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.

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

Motion carried 5-0.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10402 to vacate 28th Street South between 8th Avenue South and 10th Avenue South,

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

9th Avenue South and 9th Alley South between 27th Street South and 29th Street South and 10th Alley South between 27th Street South and 28th Street South.

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

Motion carried 5-0.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the amended plat aggregating the parcels 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 applicants.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

13. MINOR SUBDIVISION – SUN RIVER PARK ADDITION ADDRESSED AS 8 22ND STREET SOUTHWEST AND LEGALLY DESCRIBED AS LOT 3-A1, BLOCK 18, SECTION 9, T20N, R3E, P.M., CASCADE COUNTY, MONTANA

Planning and Community Development Director Craig Raymond reported that this is a request to consider an application to subdivide the parcel addressed as 8 22nd St SW that is slightly less than one acre located at the southwest corner of Central Avenue West and 22nd Street South. The property is zoned R-1 Single-family Suburban which is the dominant zoning district in the area.

The proposed Lot 3-A1-A would consist of approximately 0.344 acres or 15,000 square feet. The applicant is proposing to construct a single-family residence on this lot. The proposed Lot 3-A1-B would consist of approximately 0.553 acres, or 24,094 square feet. A single-family residence currently sits on this proposed lot. The proposed lots in their divided state conform to the R-1 zoning district development standards as outlined in the Land Development Code.

The basis for a decision to approve, conditionally approve, or deny a proposed subdivision is whether it is demonstrated that development of the proposed subdivision meets the requirements of the Montana Code Annotated, is consistent with the City's zoning regulations and is in the public interest.

Staff has reviewed the proposed project in relation to all of the above. In addition, staff developed Findings of Fact for the proposed subdivision and concludes the subdivision meets the requirements provided by MCA § 76-3-608(3).

The minor plat request was emailed to Neighborhood Council members and, to date, no feedback has been received.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Staff requests that the City Commission approve the proposed minor subdivision, subject to the conditions of approval listed in the agenda report and recommended by the Planning Advisory Board.

Commissioner Tryon moved, seconded by Commissioners Moe and Robinson, that the City Commission approve the Amended Plat of the Minor Subdivision, as legally described in the staff report, and the accompanying Findings of Fact, subject to the conditions.

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.

ORDINANCES/RESOLUTIONS

14. **REQUEST FROM STEVE SCHEFFELS TO VACATE 8TH ALLEY SOUTH BETWEEN 7TH AVENUE SOUTH AND 8TH AVENUE SOUTH, AND FOR A CONDITIONAL USE PERMIT ON PROPERTY ADDRESSED AS 214 7TH AVENUE SOUTH.**

I. RESOLUTION 10404, A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO VACATE 8TH ALLEY SOUTH BETWEEN 7TH AVENUE SOUTH AND 8TH AVENUE SOUTH.

II. RESOLUTION 10391, A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW “CONTRACTOR YARD, TYPE II” LAND USE UPON A PARCEL OF LAND ADDRESSED AS 214 7TH AVENUE SOUTH, AND LEGALLY DESCRIBED AS LOTS 5-10, BLOCK 479, GREAT FALLS ORIGINAL TOWNSITE, CASCADE COUNTY, MONTANA.

Planning and Community Development Director Craig Raymond reported that this item is a request to adopt Resolution of Intention 10404 to set a public hearing to consider the partial vacation of an alley, and to also set a public hearing to consider Resolution 10391 pertaining to a request for a Conditional Use Permit.

Sheffels Farms, Inc. has owned the subject property since the 1950s. For quite some time, the property has typically been used in a fashion that would be considered industrial or at least commercial in nature. However, in recent years the property has been mostly vacant. Within the last year, a local bank has been renting the property in order to store heavy construction equipment that has been in the bank's possession while a bankruptcy case is being resolved. The land use that most closely resembles this type of property usage is a “Contractor Yard, Type, II,” which is conditionally permitted in the M-2 zoning district.

This Conditional Use request is coming forward in response to a citizen's complaint on the property regarding the amount of heavy equipment being stored at the location. When staff contacted the property owner, he indicated that he was unaware that the activity was not permitted by City zoning. Since the family had used the property for this type of land use in the past, they wanted the flexibility for contracting businesses to use the site in the future and brought forward this Conditional Use request.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

After a review of the property, existing uses in the surrounding area and the desired use of the property under consideration, the only site improvement recommended is that the existing chain-link fence have privacy slats installed in order to screen the interior use of the property from the neighboring public, particularly the residentially zoned area to the east. There is a portion of the fence that juts out into the public 3rd Street South right-of-way that will need to be moved so that it is placed along the property line.

A large portion of 8th Alley South was vacated in 1958 but a small portion was never vacated. Resolution of Intention 10404 will set the public hearing to consider vacating the rest of the un-vacated portion. The applicant's request to vacate 8th Alley South between 2nd Street South and 3rd Street South allows the owner to assume full control of their portion of the block. A 20-foot easement has been prepared allowing the City to access the sewer main that exists in the former alley partially vacated in 1958.

The subject property is located in Neighborhood Council 7. The applicant met with the Council on February 8, 2021, to discuss the request. The Council voted unanimously to recommend approval of the Conditional Use Permit.

Commissioner Robinson moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution of Intention 10404, and set a public hearing for June 15, 2021.

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.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission set a public hearing for June 15, 2021, to hear Resolution 10391 for a Conditional Use Permit to allow a "Contractor Yard, Type II" land use at the property addressed as 214 7th Avenue South.

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.

15. **RESOLUTION 10407, AMENDING RESOLUTION 10395, ESTABLISHING A CRIME TASK FORCE TO INCLUDE LANGUAGE PERTAINING TO RESIDENCY AND TO INCREASE THE NUMBER OF MEMBERS FROM SEVEN TO NINE.**

City Manager Greg Doyon reported that the requested action is for the Commission to amend previously adopted Resolution 10395, to expand the Great Falls Crime Task Force from seven to nine members, and to allow members to be non-residents, but who work or have a business interest in the City.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Commissioner Tryon moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10407.

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.

CITY COMMISSION

16. GREAT FALLS CRIME TASK FORCE NOMINEES.

City Manager Greg Doyon reported that the list before the Commission for consideration is names of candidates to serve on Great Falls Crime Task Force.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission confirm the City Manager's nominees to the Great Falls Crime Task Force:

- 1. Mary Lynn Billy – Indian Family Health Clinic**
- 2. Shawna Jarvey – Transition Consultant, Benefis Health**
- 3. Nicole Griffith – Victim Witness Program**
- 4. Sandra Guynn – Chair of Neighborhood Council of Councils and President of Crime Stoppers**
- 5. Sara Sexe – City Attorney**
- 6. Jeff Newton – Chief of Police**
- 7. Jesse Slaughter – Cascade County Sheriff**
- 8. John Parker – District Court Judge**
- 9. Shane Etwiler – Chamber of Commerce**

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

Shane Etwiler, Great Falls Area Chamber of Commerce, thanked Manager Doyon and the Commission for consideration of his appointment to the Crime Task Force. Mr. Etwiler shared his background information including 25 years in retail, the detrimental effects of shoplifting to retailers, trends that have changed over the years, drug addiction and other factors, and attendance at many organized retail crime conferences. He has facilitated many trainings and has served on the Crime Stoppers Board and the Downtown Safety Alliance.

Commissioner Tryon noted that he is happy with the list of nominees, and looks forward to starting the process. He reminded everyone to keep their expectations realistic. The Crime Task Force is not going to solve all of the problems in Great Falls. He looks forward to the Crime Task Force submitting a list of recommendations that the Commission can further vet and discuss.

JOURNAL OF COMMISSION PROCEEDINGS

May 18, 2021

Manager Doyon commented that he would notify the members of the Crime Task Force, and try to organize a good meeting time for these very busy folks. The first couple of meetings will be educational.

Motion carried 5-0.

17. APPOINTMENTS, GREAT FALLS CITIZEN'S COUNCIL

Mayor Kelly moved, seconded by Commissioner Moe, that the City Commission appoint Commissioners Robinson and Houck to serve on the Great Falls Citizen's Council, also known as Council of Councils, for the May 25, 2021, meeting.

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.

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS

None.

19. COMMISSION 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 May 18, 2021, at 9:48 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: June 1, 2021