

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 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, Eric Hinebauch, Owen Robinson and Rick Tryon. Commissioner Mary Moe participated telephonically. Also present were the City Manager Greg Doyon; Public Works Director Paul Skubinna; Planning and Community Development Deputy Director Tom Micuda; Finance Director Melissa Kinzler; Park and Recreation Deputy Director Patty Rearden; City Attorney Jeff Hindoien; Police Chief Jeff Newton; and, City Clerk Lisa Kunz.

**AGENDA APPROVAL:** There were no proposed changes to the agenda by the City Manager or City Commission. The agenda was approved as presented.

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

**PETITIONS AND COMMUNICATIONS**

1. **Nancy Donovan**, City resident, referred to comments made during the public hearing on the HOME-ARP Grant program at the last Commission meeting regarding the success of the Denver homeless project as a role model. Ms. Donovan noted what wasn't mentioned was that Denver has over 6,100 homeless on its streets. Denver has horrific problems with crime, and the crimes have escalated. Homeless people are allowed to live in parks and many parks have had to be closed due to infestations, excessive drug abuse, and extreme violence. The cost to the metro area of Denver is approximately \$481.2 million annually to support the homeless population. She noted that everyone who asks for help are not people who are necessarily helpless. She suggested it would be better to let the homeless know they are capable of contributing as opposed to just being maintained. She also encouraged the Commission to consider the 55,000+ other people that live in Great Falls who do not deserve their parks invaded and dangerous people brought to the community.

Appearing telephonically was:

- \* **Jeni Dodd**, City resident, due to issues with the live streaming, made comments pertaining to Agenda Item 14. She does not believe the City Manager has legal authority to ask a person to present proof of a valid concealed carry permit. She noted confusion about the Courtroom Standing Order as it applies to the Civic Center. She also suggested the Commission continue public participation by Zoom.

**NEIGHBORHOOD COUNCILS**

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**JOURNAL OF COMMISSION PROCEEDINGS**

**December 21, 2021**

**BOARDS AND COMMISSIONS**

**3. REAPPOINTMENT/APPOINTMENT TO THE CITY-COUNTY BOARD OF HEALTH.**

Mayor Kelly reported that Peter Gray had served on the Board of Health from January 1, 2016 until he stepped down from the Board in March 2019. On April 16, 2019, Amanda Ball was appointed to serve the remainder of the term through December 31, 2021. She is eligible and interested in serving another term. In accordance with Resolution 10235, the established policy concerning appointments to boards and commissions:

In the case of a member eligible for and interested in reappointment, if the member is in good standing and the applicable board or commission recommends that the member be reappointed, his or her application shall be brought before the City Commission for consideration for reappointment without advertising for other citizen interest.

The vacancy was not advertised. However, applications were received from Jonathan Martin and Katrina Lewis for the City Commission's consideration. The Board of Health decided not to weigh in on the reappointment or appointment process as it is a City Commission decision.

**Commissioner Robinson moved, seconded by Commissioners Hinebauch and Moe, that the City Commission reappoint Amanda Ball to the City-County Board of Health for a three-year term through December 31, 2024.**

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

Commissioner Robinson commented that Amanda Ball has served the Board admirably during her term. He added that he could not imagine the precedent that would be set if the Commission did not reappoint someone that has done an admirable job, with no criticism that he has heard, during the term and during a difficult time for the Board of Health dealing with a pandemic.

Commissioner Tryon suggested the Commission table this item or vote against the motion, not because he would be voting against Amanda Ball, but because two other applications deserve to be considered. Additionally, per Resolution 10235, the Board has not put forth a recommendation and Amanda Ball's application was not included for Commission consideration for reappointment.

Commissioner Robinson noted that it is the policy of the Board of Health not to make recommendations because they feel the City should appoint its representative to the Board.

Commissioner Tryon noted that Amanda Ball was appointed in 2019. He was not on the Commission at that time and has not seen her application.

Commissioner Robinson pointed out that is why Amanda Ball was on the agenda last month to talk about her experience and explain her background to the Commission.

Commissioner Moe made a point of order that public comment had not been called for prior to Commission discussion.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

Mayor Kelly commented a motion was made and seconded to reappoint Amanda Ball to the Board, and Commissioner Tyron's point of view has been made. Mayor Kelly asked if there were any comments from the public.

**Julie Bass**, City resident, agrees with looking at all applicants fairly. The two new applicants have strong backgrounds in this field. People have a right to apply. If citizens are not given an opportunity to get on these boards, the Commission is limiting citizens that want to be part of this board.

Appearing telephonically was:

**John Hubbard**, City resident, due to a delay in the live streaming, made comments for Agenda Item 1 pertaining to the omicron virus, and suggested overseas flights be stopped and borders be closed.

Written comments were received from **Kathy Davis**, in support of the reappointment of Amanda Ball.

In response to the issues raised, Commissioner Moe pointed out that the applicant in question has applied and made her interests clear. She had previously submitted the formal application. It is not unusual to have people who are seeking reappointment simply to express their interest. She does agree that the Commission needs to consider all candidates that have applied on an equal footing. Three applications are before the Commission, of which two are the formal application as was originally received from Ms. Ball. She called for the question.

After parliamentary discussion, Commissioner Moe withdrew her call for the question. She continued that she has been impressed and pleased with the interest that the candidates have shown in this particular position. At this particular time, it is extremely important to have continuity and someone who has experience on the City-County Health Board as it was originally envisioned.

Mayor Kelly commented that Resolution 10235 is a broad policy that went out to a variety of the boards in the community. Because the makeup of the Board of Health is from a mixture of appointees from a variety of places, the Board of Health has decided this is the Commission's decision to make. It should not be inferred as a lack of a recommendation. With regard to the application, this person has already applied, and she has expressed interest in being reappointed. At this point, the Commission is talking about a reappointment of somebody that is imminently qualified, has shown experience the past couple of years that is above and beyond anyone's expectations, and there is no reason why this Commission should not proceed and go forward with the vote.

Commissioner Tryon inquired if there was any urgency to this appointment or if it was something that reasonably could wait until the Commission has a chance to look at the other application.

Commissioner Robinson pointed out that Terry Barber, Cascade County appointed representative, resigned last April. The County has not appointed anyone to replace him. There was a quorum issue at the December meeting with six current board members, and the next meeting is the first

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

Wednesday in January. He suggested the applicants could apply for the County appointed position.

There being no one further to address the Commission, Mayor Kelly asked if there was further discussion amongst the Commissioners.

For all the reasons already stated, Commissioner Tryon commented he would be voting against this appointment.

Due to streaming issues, Mayor Kelly allowed for additional public comment.

Appearing telephonically was:

**Jeni Dodd**, City resident, also referred to Resolution 10235, read the paragraph pertaining to reappointments, and commented that since the Board did not make a recommendation the opening has to be advertised. The application also was not brought before the Commission for consideration for reappointment.

Commissioner Moe requested clarification regarding applications being required for reappointment.

City Attorney Jeff Hindoien reiterated the language of the appointment policy adopted by the Commission. Historically, staff has not included applications of people seeking reappointment. In most instances, there are no other applications as part of the package.

After further expressions about being in favor or against the motion on the floor, Mayor Kelly called for the vote.

Motion carried 4-1 (Commissioner Tryon dissenting).

Going forward, it was suggested the appointment process be looked at in its entirety to make it clear and improve the process.

**4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

**CITY MANAGER**

**5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported that:

- Tree removal in Lyons Park for the Aim High Big Sky Indoor Aquatic and Recreational facility will be commencing within a couple of weeks. **OF 1770.**
- The City does not currently have the technology in the Commission Chambers to conduct hybrid, Zoom and in person, meetings. That is something that can be discussed next year when the ARPA funds are prioritized.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

- Merry Christmas and Happy New Year.

Commissioner Robinson commented that the County allows for hybrid, Zoom and in person, meetings. It would require more equipment.

**CONSENT AGENDA.**

6. Minutes, December 7, 2021, City Commission Meeting.
7. Minutes, December 7, 2021, Special City Commission Meeting.
8. Total Expenditures of \$1,380,125 for the period of November 16, 2021 through December 8, 2021, to include claims over \$25,000, in the amount of \$783,432.
9. Contracts List.
10. Approve the purchase of one new 2022 800-HPR ECO IV truck mounted sewer jet cleaner, for \$211,973.78; one new 2022 RamVac 2000 trailer mounted sewer vacuum for \$203,303.17; and one new Peterbilt 548 cab & chassis for \$104,779, with no trade-ins, to SWS Equipment, LLC of Spokane, WA and Montana Peterbilt of Missoula through Sourcewell, formerly known as NJPA, for a total of \$520,055.95, including shipping.
11. Award a contract in the amount of \$231,710 to MRTE Inc., for the Lincoln ADA Upgrades including bid schedules A, B, and C, and authorize the City Manager execute the necessary documents. **OF 1781.0**

**Commissioner Robinson moved, seconded by Commissioner Tryon, 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**

12. **LEASE AGREEMENT WITH THE ELECTRIC CITY BMX ASSOCIATION FOR A PORTION OF CITY-OWNED PROPERTY LOCATED IN HIGHLAND PARK.**

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

Park and Recreation Deputy Director Patty Rearden reported that the proposed lease with the Electric City BMX Association would be a five-year lease with an option to renew at the City's sole discretion. The leased parkland is located in Highland Park property at 1021 21<sup>st</sup> Avenue South, Great Falls, MT. The lessee will be responsible for an annual fee of \$250, utilities, and day-to-day maintenance.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

Park and Recreation staff has a long history of supporting youth sports in Great Falls, and staff recommends approval of the lease. At its December 13, 2021 meeting, the Park Advisory Board voted to recommend that the City Commission approve this lease agreement.

Mayor Kelly asked if the Commission members had any questions.

Mayor Kelly inquired if this was a renewal of a lease or a lease of new property.

Deputy Director Rearden responded this lease is a renewal. The BMX Association was originally located in Sand Hills Park and were moved to this site. The Association raised the money to hire the design and building of the track and would like to continue at the property located across from the Multi-Sports Complex.

Commissioner Tryon inquired if anyone else has requested to lease the property.

Deputy Director Rearden responded that Park and Recreation received no comments or interest in the property after advertising.

Mayor Kelly asked if there were any comments from the public in support of or opposition to the Lease Agreement with the Electric City BMX Association for a portion of City-owned property located in Highland Park.

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

**Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission approve the Lease Agreement with the Electric City BMX Association for a portion of City-owned property located in Highland Park.**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**13. LEASE AGREEMENT WITH THE ELECTRIC CITY BASEBALL ACADEMY FOR CITY OWNED PROPERTY LOCATED IN LOT 3, BLOCK 1, MISSOURI RIVER MANOR ADDITION, AND KNOWN AS DON OLSON BASEBALL FIELD.**

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

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

Park and Recreation Deputy Director Patty Rearden reported that the proposed lease with the Electric City Baseball Academy would be a ten-year lease with an option to renew at the City's sole discretion. The leased parkland is Don Olson Baseball Field located on the corner of 17<sup>th</sup> Avenue South and 13<sup>th</sup> Street South, Great Falls, MT. The lessee will be responsible for an annual fee of \$500, utilities, and day-to-day maintenance. The City would be responsible for water costs for irrigation, up to a maximum of one thousand dollars (\$1000) per year. Any additional water costs over this amount will be billed to the Electric City Baseball Academy and will be due and payable upon receipt of billing.

Park and Recreation has a long history of supporting youth sports in Great Falls and staff recommends approval of the lease. At its December 13, 2021 meeting, the Park and Recreation Advisory Board voted to recommend that the City Commission approve this lease agreement.

Mayor Kelly asked if the Commission members had any questions.

Hearing none, Mayor Kelly asked if there were any comments from the public in support of the Lease Agreement with the Electric City Baseball Academy for City-owned property located in Lot 3, Block 1, Missouri River Manor Addition, and known as Don Olson Baseball Field.

**Tracy Houck Jerman**, City resident, commented that she is in support of this Item and Item 12. Parents and youth organizations bring economy back to the community. Don Olson is host to many tournaments. She is pleased to see this is a 10-year lease.

Mayor Kelly asked if there were any comments from the public in opposition to the Lease Agreement with the Electric City Baseball Academy for City-owned property located in Lot 3, Block 1, Missouri River Manor Addition, and known as Don Olson Baseball Field.

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

**Commissioner Tryon moved, seconded by Commissioners Moe and Robinson, that the City Commission approve the Lease Agreement with the Electric City Baseball Academy for City-owned property located in Lot 3, Block 1, Missouri River Manor Addition, and known as Don Olson Baseball Field.**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

**JOURNAL OF COMMISSION PROCEEDINGS**

**December 21, 2021**

**14. ORDINANCE 3234, AMENDING TITLE 9, CHAPTER 8, SECTION 020 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO WEAPONS.**

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

City Attorney Jeff Hindoién reported that the basis for this ordinance is to conform the already existing ordinance regarding the possession of firearms and weapons to what the legal landscape looks like today. The passage of LR 130 and then passage of HB 102 by the 2021 Legislature made changes to the legal landscape that the prior ordinance was based upon. The legal authority of municipalities in Montana was drawn back by LR 130, through the voters last November, and HB 102 extended the right to carry concealed weapons in Montana to individuals without a concealed carry permit and substantially limited the areas where concealed by a valid permit holder could be restricted.

As discussed at the August 17, 2021 work session, staff is taking a measure to update the current ordinance to track with the combined effects of both LR 130 and HB 102.

The current ordinance language is based on the law, as it existed prior to 2021, when the relevant statute (§ 45-8-351, MCA) authorized local governments to prohibit the carrying of **both** unconcealed weapons and concealed weapons (whether carried by a valid permit holder or not) “. . . to a public assembly, publicly owned building, park under its jurisdiction or school. . .” That statute has been modified and now only authorizes:

- restrictions on the carrying of **unpermitted concealed** weapons and unconcealed weapons; and
- the application of those restrictions only in a publicly owned **and occupied** building, i.e., a local government may no longer impose carry restrictions at public assemblies, parks or schools.

The new language in Subsection (B) of the proposed Ordinance is intended to implement the HB 102 language that authorizes the City to prohibit even **permitted concealed carry** in secure areas of the law enforcement facilities it owns and operates. The restrictions in a courtroom and courthouse areas must be imposed pursuant to an order of a judge, and Judge Bolstad has already issued a *Standing Order* to that effect for the Civic Center.

In summary, all the ordinance is intended to do is to get the City Code, which is based on what the law used to be, aligned with what the law is today after the 2020 election and 2021 legislative session.

Mayor Kelly asked if the Commission members had any questions.

Commissioner Tryon commented that HB 102 redefined who could conceal carry. It made it available for folks to conceal carry without a permit issued by the County Sheriff. He requested clarification on how unpermitted and permitted is being defined as it pertains to the City ordinance.



## JOURNAL OF COMMISSION PROCEEDINGS

December 21, 2021

City Attorney Hindoien responded that the terminology in the ordinance is literally the language the legislature enacted. HB 102 language was substituted for what was in current City Codes. The unpermitted and permitted distinction is a product of the Montana Legislature. HB 102 took away the criminal sanction for carrying a concealed weapon without a permit, except there is an offense for carrying a concealed weapon in a prohibited place. The only place left the Commission can regulate non-permitted carry is in government buildings. The statute also sets forth open carry can be regulated in public buildings.

Commissioner Tryon reviewed the new language in Subsection (C) of the proposed Ordinance, which is intended to authorize the City Manager to direct and implement screening measures and authorize the denial of entry to City facilities by those not legally authorized to carry a weapon in City facilities.

City Attorney Hindoien responded that section is intended, broadly speaking, to provide for that authority if the City Manager, at some point, decides that is something he needs to do. The only thing local government was left to regulate is open carry or concealed carry by someone who is not a permit holder.

Commissioner Tryon noted that this ordinance is not a further restriction on the already guaranteed Second Amendment rights, but is actually bringing the City ordinance into compliance with the State law.

Commissioner Moe commented that the ordinance changes are not merely the distinctions between concealed, unconcealed and unpermitted, but the public places in which the public might feel confident that people with firearms are not going to be there. The only sensitive place left is the one the City judge protects and Great Falls' government just happens to be in the circumference of City Court. Most important to her are that there are places that are, by their very nature, sensitive places that should be protected.

City Attorney Hindoien clarified that, by law, the City can no longer prohibit or regulate firearms in parks, public assemblies, or publicly owned buildings that are not publicly owned and occupied buildings. The materials are clear that the only intention with this item is to align the City's already existing ordinance on this subject with decisions that were made by the Montana voters and the Montana Legislature.

Mayor Kelly asked if there were any comments from the public in support of or opposition to Ordinance 3234.

- \* Mayor Kelly reported that the Commission recognizes Jeni Dodd's comments from earlier this evening pertaining to her opposition to the authority granted to the City Manager for screening.

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

**Commissioner Robinson moved, seconded by Commissioner Tryon, that the City Commission adopt Ordinance 3234.**

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

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

Commissioner Moe commented that the people have spoken. She does not agree with the decision they have reached either at the legislative level or in the referendum process, and especially the recognition of the importance of public spaces and having some restrictions there.

Commissioner Tryon disagreed with Commissioner Moe, adding that there are many people that feel safer because they are able to carry firearms in some places.

Mayor Kelly thanked City Attorney Hindoien for aligning City Code with State law. The community needs to be aware, for better or worse, of what the current rules are and take precautions according to their perspectives.

Mayor Kelly called for the vote.

Motion carried 4-1 (Commissioner Moe dissenting).

**OLD BUSINESS**

**15. WATER TREATMENT PLANT FILTRATION IMPROVEMENTS, PHASE II PROJECT. OF 1637.6**

Public Works Director Paul Skubinna reported that this item is a request for the City Commission to consider awarding or not awarding a new construction contract to Prospect Construction for the Water Treatment Plant Filtration Improvements Phase 2 project. This is a new contract for an ongoing project. The filters at the Water Treatment plant are a critical component to the treatment process. This project was programmed in response to a technical evaluation of the existing filters done in 2011. The evaluation showed the filters were nearing the end of their service life and that they were no longer functioning efficiently and as designed. Fast forward a few years of planning, programming, scoping and designing, construction of Phase I of the filter replacement project was completed in late spring of 2020. The Commission may recall the challenges we had with supply-chain issues with the vender the City contracted with directly for Phase I for some of the specialized plumbing and valves, that resulted in a sizable change order. By way of status update on that issue the parties have agreed to go to mediation on that issue and have been corresponding and making good progress this month, through counsel, regarding selection of the mediator. Lessons learned from phase one, for this Phase II, is the contractor will be supplying all of the construction materials for this phase of the contract.

Despite the challenges we had during Phase I, this has been a good project for the City. The new filters are functioning well. There is significant improvement in run-time on the new filters and significantly less backflush water required to clean them. Based on staff's initial experience with the completed filters, staff projects the City will save 75 million gallons of backwash water annually. Backwash water is finished water that has already been paid to treat. In monetary terms, considering the current commercial water rate is \$2.01 per 10 cubic feet that translates to about \$20,000 worth of treated water that can be put out in the system.

Bids for Phase II came in very close to the engineer's estimate. Staff is proposing to award bid alternate 2, which would include in the project some additional redundancy in the blower capacity for the air scour that cleans the filters. This second phase of the project has been programmed and

## JOURNAL OF COMMISSION PROCEEDINGS

December 21, 2021

fully funded by the Water Utility fund; however, Director Skubinna reported that it might be competitive for ARPA bucket C grant monies. He has been working closely with the City's Grant Administrator and our consultants to put together four applications for round two of the competitive ARPA grants, and they include this project which the Commission will see on the January 4, 2022 grants list.

Staff recommends award of the construction contract for the Water Plant Filter Replacement Project Phase 2, including bid alternative 2, to Prospect Construction in the amount of \$4,880,587 and authorize City Manager execute the contract.

**Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission award the construction contract base bid in the amount of \$4,643,587 and Alternate Bid Item #2 in the amount of \$237,000 for a total amount of \$4,880,587 to Prospect Construction for the Water Treatment Plant Filtration Improvements, Phase II Project, and authorize the City Manager to execute the construction contract documents.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

### **16. GREAT FALLS POLICE DEPARTMENT, FY 2021 DEPARTMENT OF JUSTICE COPS HIRING GRANT.**

Police Chief Jeff Newton reported that this item is consideration of acceptance of a grant awarded by the FY21 Department of Justice COPS Hiring Grant program which provides funding for three entry-level police officers. The Great Falls City Commission ratified the grant submittal to the US Department of Justice at its July 6, 2021 meeting. On November 18, 2021 the City of Great Falls was notified the grant was awarded and have until January 1, 2022 to officially accept the funds.

The Great Falls Police Department relies heavily on partnerships and relationships with various stakeholders within our community. The grant funding for three entry-level police officers was sought to increase staffing levels in the Uniformed Patrol Bureau. If approved, the three officers will be placed on the Directed Enforcement Team (DET) to work in a Community Policing role. Specifically, one officer will have ancillary duties as the mental health officer working closely with the local crises intervention collaborative and other mental health services in our community. This provides a liaison with mental health professionals to provide additional resources to members of our community and also coincides with most recent crises intervention collaborative grant that was recently awarded. The remaining two officers will be assigned to assist the BRIK officer, address concerns in the DDACTS area, work on problem areas, seek out additional community resources to address crime in the community, and continue to collaborate with other stakeholders.

The Directed Engagement Team (DET) also works closely with the Violent Crime Prevention Task Force, HIDA drug unit, and other law enforcement agencies to support the mission of the reduction of violent offenders, violent crimes, and narcotics in the community. The DET provide

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

flexibility and the ability to provide creative solutions to problems that traditional uniformed patrol officers are unable to due to call volume. The three officers will collaborate with community stakeholders, such as the Great Falls Mental Health Treatment Court, North Central Montana Crisis Intervention Collaborative, the Great Falls Downtown Safety Alliance, the Great Falls Chamber of Commerce and Indian Family Health Clinic, to address issues in our community.

This grant has a four-year timeframe to allocate all funding requirements. The grant specifies the funds from the USDOJ are allocated the first three years, which totals \$375,000 or 38% of the total costs. The match requirements for the City of Great Falls would equate to \$607,645 or 62% of the total costs over the four-year timeframe, which includes a full match for the fourth year.

**Commissioner Tryon moved, seconded by Commissioner Robinson, that the City Commission approve acceptance and use of the FY21 Department of Justice COPS Hiring Grant funds for hiring of 3 additional police officers for the Great Falls Police Department.**

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

Appearing telephonically was:

- \* Due to the delay caused by streaming issues, **Jeni Dodd**, City resident, appeared telephonically to again comment on Agenda Item 14. She read MCA § 45-8-351 Restriction on Local Government Regulation of Firearms, and does not believe the City Manager has the authority to ask someone to produce their permit.

Mayor Kelly commented that the Commission did recognize Ms. Dodd's public hearing comments at the beginning of the meeting for consideration during Agenda Item 14.

Mayor Kelly asked if there was any further public comment. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly commented that, due to the Crime Task Force recommendations and the short staffing in the Police Department, the Commission has a fiscal decision to make going forward. He is in favor of using these funds to hire police officers that provides one-third of the cost of doing something that has to be done anyway.

Commissioner Tryon commented that acceptance of the grant would be a win for community and a win for the Great Falls Police Department.

He asked Manager Doyon to recap a conversation they had about this grant.

City Manager Doyon commented that since he has been here the Police Chief has asked for additional staff. There have been a few occasions in the past to utilize this grant to gain one or two personnel. The City budgeted annually the City's share of the last COPS grant so that it would lessen the impact by year four. When they did that with good intentions, they forgot about Collective Bargaining Agreements that change and expenses that change. By the time the fourth year came around it was a lot more than what was projected initially. He would recommend something similar during budget discussions with the Commission and perhaps discussions about

## JOURNAL OF COMMISSION PROCEEDINGS

December 21, 2021

CARES Act funds. The City does not need to ask the voters for a Public Safety Levy. The City will need to take the inflationary rate to address the financial responsibilities of the City's match of the grant and the City's obligations moving forward. There are things the City can do to lessen the impact in year four. This would be paid out of the general fund, which is where all of the property taxes go to cover these services. The City does not raise enough taxes here locally to cover public safety costs, which is fire and police combined, without the component of the inflationary factor.

Commissioner Tryon inquired if there was about \$200,000 in property taxes, over and above, that could be used to defray these costs and was responded to in the affirmative. It is new property tax growth that is exempt from the cap.

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

Motion carried 5-0.

### NEW BUSINESS

### ORDINANCES/RESOLUTIONS

17. **ORDINANCE 3240 AMENDING ORDINANCE 3238 TO CORRECT THE LEGAL DESCRIPTION FOR PROPERTY LOCATED AT 1300 RIVER DRIVE NORTH.**

Planning and Community Development Deputy Director Tom Micuda reported that Ordinance 3240 is a minor housekeeping amendment to Ordinance 3238. Ordinance 3238 was adopted on November 2, 2021, to rezone 14.7 acres surrounding the Wausau Building Supply site to stimulate redevelopment of that site by TC Glass and Northern Hydraulics. At that time, Ordinance 3238 was based on a draft certificate of survey by the consultant.

The certificate of survey has been finalized. It does not change the acreage of the property, or the number of tracts. The minor change is that the naming of those tracts is different. Rather than lots, tracts and parcels in the draft COS, the finalized COS just sets forth tracts.

**Commissioner Robinson moved, seconded by Commissioner Tryon, that the City Commission accept Ordinance 3240 on first reading and set second reading for January 4, 2022.**

Mayor Kelly asked if there were any comments from the public or any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

### CITY COMMISSION

18. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Kelly discussed the unique attributes and contributions that Commissioners Houck, Moe and Robinson each brought to the Commission. He presented Commissioners Houck, Moe and Robinson with plaques expressing appreciation for their service and betterment of our community.

**JOURNAL OF COMMISSION PROCEEDINGS**  
**December 21, 2021**

Commissioners Houck, Moe and Robinson each discussed their time on the Commission and expressed appreciation for the privilege of serving the citizens of the community.

Commissioner Tryon expressed appreciation to Commissioners Houck, Moe and Robinson for their service, even though they have not all agreed at times.

**19. COMMISSION INITIATIVES.**

None.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Robinson moved, seconded by Mayor Kelly, to adjourn the regular meeting of December 21, 2021, at 9:13 p.m.**

Motion carried 5-0.

---

Mayor Bob Kelly

---

City Clerk Lisa Kunz

**Minutes Approved: January 4, 2022**