

# JOURNAL OF COMMISSION PROCEEDINGS

July 5, 2022

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, Joe McKenney, Rick Tryon and Susan Wolff. Eric Hinebauch was excused. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Paul Skubinna; Planning and Community Development Director Craig Raymond and Deputy Director Tom Micuda; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig; City Attorney Jeff Hindoien and Deputy City Attorney David Dennis; Police Chief Jeff Newton; and, Deputy City Clerk Darcy Dea.

**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.

## MILITARY UPDATES

### 1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM MALMSTROM AIR FORCE BASE (MAFB).

Colonel Anita Fuegate Opperman provided the following updates:

- The Ground Based Strategic Deterrent (GBSD) recently designated the Sentinel missile to replace the Minuteman III (MMIII) Intercontinental Ballistic Missile (ICBM). A Draft Environmental Impact Statements (EIS) for the Sentinel missile was released on July 1, 2022 and is available at [www.gbsdeis.com](http://www.gbsdeis.com). Public Hearings will be on July 26, 2022 at 5:30 p.m. in Great Falls and July 28, 2022 in Lewistown. Participation is available via Zoom on August 8 and 9, 2022.
- There are four changes of command at MAFB, including herself. She extended appreciation to the City for its support of MAFB.
- The Malmstrom Airman and Family Readiness Center was identified as the Airman and Family Readiness Flight of the Year for the Air Force.
- The Montana Air National Guard (MANG) and MAFB will host Montana's Military Open House on July 23 and 24, 2022.

Mayor Kelly thanked Col. Opperman for her service and extended her best wishes in her change of command.

## PETITIONS AND COMMUNICATIONS

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2. **Karl Spitzmacher**, Park Manor Retirement Apartments, expressed concern with regard to the quality of trees in the City. He suggested planting young, affluent trees for aesthetic value, as well as a natural rock park.

Mayor Kelly responded that the Downtown Business Improvement District and Park and Recreation are responsible for trees in the City.

**Judith Mortensen**, 326 10<sup>th</sup> Avenue Southwest, commented that she thought the First United Methodist Church “Emergency Shelter” Conditional Use Permit (CUP) proposal was on the Commission agenda for tonight. She inquired how the Commission plans to solve the problem

Mayor Kelly responded that the First United Methodist Church withdrew its application for a Conditional Use Permit (CUP) and there are ongoing conversations between representation for the City and the church.

### NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

### BOARDS AND COMMISSIONS

4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

### CITY MANAGER

5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Deputy City Manager Chuck Anderson reported on the following items:

- Phase 1 of the website redesign was completed on June 30, 2022 and contains a new search and scrolling feature. Phase 2 will include a new ticketing system and easier operation and selection of choices. He expressed appreciation to IT App/Web Development Specialist Rachel Arms, Communication Specialist Lanni Klasner, Park and Recreation Administrative Assistant Sarah Griffin, Planning and Community Development Planner Lonnie Hill and Administration Executive Assistant Krista Artis for their efforts with regard to the website redesign. He noted that the City’s website address has not changed.
- The Planning and Community Development Department reported that the January through June 2022 building valuation has exceeded the 2021 value for the same time period by a multiple of 2.3 times. As of this date, for January to June 2022, the valuation has exceeded all of 2021 by 25 percent.
- The American Rescue Plan Act (ARPA) application deadline is July 15, 2022. The Commission budgeted \$3 million to be issued to community partners through the competitive grant program. Finance Grant Administrator Tom Hazen created a webpage

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at [greatfallsmt.net/arpa](http://greatfallsmt.net/arpa) that includes Q&A Sessions, projects and other informational items.

- He expressed appreciation to Lola Galloway, the Fourth of July Parade Committee, Seth Swingley, Mike Hallahan and the People's Park and Rec Foundation for their efforts with regard to a great parade, free concert and fireworks display.
- He announced that Public Works Director Paul Skubinna's last Commission Meeting is tonight.

Public Works Director Skubinna expressed appreciation to the Commission, City staff and public for the opportunity, honor and privilege to serve the City. He commented that there are great things happening in the City. He wished the community well, to be prosperous and continue to move in a positive direction.

Commissioner Wolff thanked Director Skubinna for the impressive tour of the Public Works Department last December, his wonderful staff, and keeping the City moving, healthy and prosperous.

### CONSENT AGENDA.

6. Minutes, June 21, 2022, Special City Commission Meeting.
7. Minutes, June 21, 2022, City Commission Meeting.
8. Total Expenditures of \$5,239,585 for the period of June 1, 2022 through June 22, 2022, to include claims over \$25,000, in the amount of \$4,554,219.
9. Contracts List.
10. Approve a Professional Services Agreement in the amount not to exceed \$115,669 to Advanced Engineering and Environmental Services, Inc. (AE2S), for engineering services for the City water distribution system model project, and authorize the City Manager to execute the agreement documents. **OF 1796.0**
11. Approve the CDBG Funding Agreement in the amount of \$200,000 to the City of Great Falls, Park and Recreation for the conversion of the baby pool at the Electric City Water Park into a splash pad.
12. Award the base bid of \$216,661.80 plus the additive bid number 1 of \$19,500.00 for a total amount of \$236,161.80 to Capcon, LLC for the Elk's Riverside Park Force Main Replacement, and authorize the City Manager to execute the contract documents. **OF 1695.3**
13. Approve the Cartegraph Solutions Master Agreement MA-22-04760 for Asset Management Software Subscription and Support Service for a 3 year term in total amount of \$210,378.79, and authorize the City Manager to execute the Agreement documents.

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14. Approve the Final Payment for the Central Montana Agriculture and Technology Park (CMATP) TIF Phase IV Storm Drain, in the amount of \$32,678.64 to Shumaker Trucking & Excavating Contractors, Inc., and \$330.09 to the State Miscellaneous Tax Fund and authorize making the payments. **OF 1658.1**
15. Set the Annual Budget Hearing on Resolution 10460, Annual Budget Resolution, for July 19, 2022.
16. Set a public hearing for Resolution 10464, to levy and assess the General Boulevard District, for August 2, 2022.
17. Set a public hearing for Resolution 10465, to levy and assess Great Falls Park District No. 1, for August 2, 2022.
18. Set a public hearing for Resolution 10466, to levy and assess properties within Special Improvement Lighting Districts, for August 2, 2022.
19. Set a public hearing for Resolution 10467, to levy and assess the Portage Meadows Maintenance District, for August 2, 2022.
20. Set a public hearing for Resolution 10468, to levy and assess the Street Maintenance District, for August 2, 2022.
21. Set a public hearing on Resolution 10469, Intent to Increase Property Tax, for July 19, 2022.
22. Set a public hearing for the Business Improvement District (BID) FY 2023 Budget and Work Plan for July 19, 2022.
23. Set Public Hearing for the Tourism Business Improvement District (TBID) 2022/2023 Budget and Work Plan for July 19, 2022.

**Commissioner Tryon moved, seconded by Commissioner Wolff, 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 Commissioner. Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

### **PUBLIC HEARINGS**

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**24. TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) 2021/2022 BUDGET AMENDMENT.**

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

Great Falls Tourism Director Rebecca Engum reported that the Commission approved the 2021/2022 TBID Budget and Work Plan on July 20, 2021. The actual amount of assessments levied was larger than projected. Inflation caused pricing for the renovation of 15 Overlook Drive to be higher than anticipated. Additionally, rising costs of living prompted adjustments in staffing costs to retain talent.

The TBID has had increases in income and changes across the board in expenses. This amendment is a combination of additional income and making strategic investment in 15 Overlook Drive, Tourism staff, and marketing.

In a previous audit of the Great Falls Tourism Business Improvement District, the auditor delivered one finding related to increased expenses over the approved budget. This finding noted that an amendment to the budget was not submitted to the City of Great Falls, even though presented, and approved by the TBID Board.

There is no fiscal impact to the City of Great Falls. The increased budget funds are coming from previously received TBID Assessment that have been placed in reserves. The budget amendment reflects a 6% increase in both revenues and expenses increasing the total budget from \$800,411 to \$852,199.

Mayor Kelly asked if the Commission members had any questions of staff. Hearing none, Mayor Kelly asked if there were any comments from the public in favor of or in opposition to the TBID's 2021/2022 budget amendment.

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

**Commissioner Wolff moved, seconded by Commissioner McKenney, that the City Commission accept the 2021/2022 Tourism Business Improvement District Budget Amendment.**

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

Motion carried 4-0.

**25. RESOLUTION 10458, CONDITIONAL USE PERMIT FOR A "TWO-FAMILY RESIDENCE" LAND USE UPON THE PROPERTY ADDRESSED AS 3125 8<sup>TH</sup> AVENUE NORTH.**

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

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Planning and Community Development Director Craig Raymond reported that the applicant, Joe McMillen, has submitted an application to request a Conditional Use Permit (CUP) to allow for the construction of a “two-family residence” land use upon the property addressed as 3125 8<sup>th</sup> Avenue North. The subject property is zoned R-3 Single-family high density, wherein a “two family residence” land use is permitted upon receiving approval of a CUP and fulfillment of any required conditions.

The subject property is a vacant lot that went through the same CUP process in 2018 for a two-family residence, but the previous owner never developed the property. The property is larger than a typical lot, which allows it to better accommodate the two family residence.

The Subject Property is a corner lot, bounded to the west and across the street to the east by single-family homes. Across the avenue to the south is a single-family home. A 4-plex is located across the street to the northeast, and a mobile home sits across the alley to the north. This is an area of mixed residential uses, making the proposed two-family residence a compatible use.

On May 19, 2022, Neighborhood Council #8 voted unanimously to support the proposed land use. Staff was contacted by a member of the public who pointed out that the proposed area of the detached garage and attached garages slightly exceeded the City’s allowable square footage of 1,400 square feet. Although the applicant could have opted to keep the proposal the same and incorporate the request into the Conditional Use, he has committed to reducing the square footage to comply with the City’s code requirement. The basis for a decision for a CUP is listed in OCCGF §17.16.36.040. The Zoning Commission voted to recommend approval to the City Commission.

Applicant Joe McMillen expressed appreciation to the Planning and Community Development Department staff and Planner Brad Eatherly for their assistance with regard to the project. He pointed out five things about the project including:

- This project is a similar structure to the CUP request that expired in 2018.
- The proposed structure will be aesthetically pleasing to the surrounding neighborhood.
- The City needs more housing to accommodate growth.
- There are similar multi-structures in the area.
- The proposed project makes sense.

Mayor Kelly asked if the Commission members had any questions of Staff. Hearing none, Mayor Kelly asked if there were any comments from the public in support of or in opposition to Resolution 10458.

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

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

**Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10458 subject to the applicant fulfilling the listed Conditions of Approval.**

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

Commissioner McKenney commented that the proposed project is small; however, with the shortage of housing, any additional housing is welcome.

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

Motion carried 4-0.

**26. CDBG & HOME GRANT ANNUAL ACTION PLAN AND AMENDED CONSOLIDATED PLAN.**

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

Planning and Community Development Director Craig Raymond reported that the City's CDBG/HOME program is funded by the federal government to help fund local community development. The primary goal is to assist the low to moderate income individuals in the community.

Because of its size and demographic profile, Great Falls is considered an entitlement city and is eligible to receive funding on an annual basis. Every year the amount changes slightly. This year the City will receive approximately \$764,295 in CDBG funds, and \$319,759 in HOME funds. These amounts do not take into account the specific COVID funds that the City has been allocated, in which staff is still actively seeking to put to beneficial use. In this year's CDBG Annual Action Plan, staff will be placing a higher interest and priority on homelessness services through the "Public Services" category.

Last year, the City Commission adopted the Program's 2020-2024 Consolidated Plan that provides policy guidance for funding priorities that are required to be incorporated into each year's Annual Action Plan. The proposed amendment to the 5-year Consolidate Plan is the addition of activities specifically intended to target affordable housing opportunities and elimination of blight in the community.

Mayor Kelly asked if the Commission members had any questions of Staff.

Commissioner Tryon inquired if there are any funds specifically targeted towards emergency homeless shelters.

Director Raymond responded that there are not any funds specifically targeted towards emergency homeless shelters in the CDBG & HOME Annual Action Plan; however, transitional or supportive housing has been identified to receive HOME ARPA funds.

Mayor Kelly asked if there were any comments from the public in favor of the CDBG & HOME Annual Action Plan and Amended Consolidated Plan.

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Hearing none, Mayor Kelly asked if there were any comments from the public in opposition to the CDBG & HOME Annual Action Plan and Amended Consolidated Plan.

**Judith Mortensen**, 326 10<sup>th</sup> Avenue Southwest, inquired how the housing proposal would solve the homelessness issue. She expressed concern that the proposal would allow people to benefit at the hands of the taxpayers.

Director Raymond responded that CDBG and HOME programs identify homelessness through support services to assist those who are homeless or to help get them out of being homeless.

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

**Commissioner McKenney moved, seconded by Commissioner Wolff, that the City Commission adopt the 2022 Annual Action Plan and the Amended 2020-2024 Consolidated Plan.**

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

Commissioner Tryon commented that he would support the Plans; however, the City missed an opportunity to utilize some of the HOME ARPA funds for emergency homeless shelters. He encourage citizens who want to see the City do more for the homelessness issue to apply for the ARPA funds and to have a plan to address the issue.

Commissioner Wolff inquired about the zero amount for Rental Assistance and Special-Needs on page 30 of the Annual Action Plan.

Planning and Community Development Deputy Director Tom Micuda responded that Great Falls is one of several communities that does not offer a Tenant Based Rental Assistance Program for rental assistance. He further responded that grants through federal funding programs are put forward to agencies, as recipients, for special needs tenants and residents. The City does not have any targeted grants for that; however, it provides grants for agencies that are renting and providing ownership opportunities for individuals with special needs.

City Manager Doyon explained that the Housing Authority offers portable vouchers and fixed units and are venturing out to a projects-based voucher system and will open up additional opportunities for citizens trying to find a home that fits those qualifications. He further explained that the emergency shelter issue downtown is pending before State District Court through a zoning violation.

Mayor Kelly commented that the church downtown is trying to do good things; however, it does not have the skill set, infrastructure or IRS status to obtain grants for emergency shelters. He commented that community partners have requested ARPA funds for a variety of projects that address homelessness.

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



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Motion carried 4-0.

**OLD BUSINESS**

**27. INDOOR AQUATICS AND RECREATION CENTER – CHANGE ORDER NO. 2.**

Park and Recreation Director Steve Herrig reviewed and discussed PowerPoint slides depicting the project’s progress. He reported that on March 1, 2022, the City Commission approved deductive Change Order No. 1 for Swank Construction for a savings of \$244,655 from the original awarded contract price. The change order did not affect any of the amenities of the facility; changes affected materials used to accomplish a cost savings without jeopardizing the quality of amenities or facility.

Change Order No. 2 includes the following:

1. Plan Review Fee, City’s Responsibility	\$45,516.32
2. Permit Review, Civil Changes	\$10,069.00
3. Structural & Plumbing Revisions per City Plan Review	\$16,010.29
4. Architectural, Plumbing & Mechanical Changes per City Request	(\$2,247.05)
5. Steel Joist Changes at Gym	\$ 1,837.15
6. Increase 2 <sup>nd</sup> Floor Beam Size	\$ 8,548.64
7. Replace 659 Cubic Yards of Structural Fill with ¾” Washed Gravel under the Pools	<u>\$11,295.23</u>
Total	\$91,029.58

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission approve Change Order No. 2 to Swank Enterprises in the amount of \$91,029.58 for the Indoor Aquatics and Recreation Center, and authorize the City Manager to execute the Change Order documents.**

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

Commissioner McKenney received clarification that the budget has not increased due to inflationary factor on materials for the project.

Commissioner Tryon commented that the fiscal impact of Change Order No. 2 is not included in the original \$20 million and would be paid for with fundraising or supplemental funds from the Park District or other Park and Recreation funds. He received clarification that if Change Order No. 2 was not approved, construction would discontinue.

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

Motion carried 3-1 (Commissioner Tryon dissenting).

**28. INDOOR AQUATICS AND RECREATION CENTER – AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH LPW ARCHITECTS (OF 1770.0).**

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Park and Recreation Director Steve Herrig reported that after the project was bid, the design team, contractor, and owner value engineered a few items to save money for the project. One of the items was a redesign of the stormwater drainage and treatment, which saved the project roughly \$40,000, and was credited to the project in the first change order. This increased cost covers TD&H's extra design services to make the changes to the drawings.

TD&H's original project design fees covered testing materials in the building, but not the site work. It was originally thought that site testing would be the Contractor's responsibility, but during bidding it was decided that it would be best to keep testing as part of the owner's responsibility to avoid any conflict of interest. These additional testing categories will cover testing earth compaction, concrete, and asphalt testing on site.

Staff recommends the Commission approve Amendment No. 1 that includes:

1. Civil Stormwater Redesign	\$ 7,000.00
2. Compaction Testing – Up to 50 Trips	\$15,000.00
3. Concrete Testing – Up to 50 Tests	\$15,000.00
4. Asphalt Laboratory Testing	\$ 2,000.00
5. Asphalt Field Compaction Testing	\$ 6,000.00
6. Asphalt Mix Verification & Cores	\$ 5,000.00
7. 15% Contingency	<u>\$ 6,450.00</u>

Total	\$56,450.00
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Amendment No. 1 is not included in the original \$20 million. Changes will be paid for with money raised through the formal fundraising campaign with the possibility of supplemental funds from the Park District or other Park and Recreation Funds.

**Commissioner Wolff moved, seconded by Commissioner McKenney, that the City Commission approve Amendment No. 1 to Professional Services Agreement with LPW Architects in the amount of \$56,450 for additional work items relating to storm water management and certain compaction and material testing services for the Indoor Aquatics and Recreation Center project, and authorize the City Manager to execute the amendment documents.**

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

Commissioner Wolff received clarification that LPW is the consultant and TD&H is a subcontractor that would be doing the inspection.

Commissioner Tryon received clarification that the redesign was \$7,000, the remaining balance was for inspection fees and that the City would have had to pay inspection fees regardless of who did the inspection. The 15 percent contingency fee is for time and travel to do inspections.

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

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Motion carried 4-0.

**NEW BUSINESS**

**29. HUMAN RESOURCES OFFICE REMODEL (OF 1750.1).**

Planning and Community Development Director Craig Raymond reported that the Human Resources Department (HR) has added staff in recent years both in new FTE's but also because of the transfer of certain duties from other departments such as the relocation of a payroll clerk from the Finance Department. Staff are located in different areas of the building making collaboration and supervision more difficult. Currently, none of the offices in the HR area are sound-proof, creating difficulty in conducting sensitive conversations in an appropriately, discreet manner. The remodeled space will account for privacy needs while still maintaining access to employees and the public and improve supervisory capability. The project includes new energy efficient Roof Top Units, which will provide a higher level of comfort, control and efficiency in the Human Resources, City Clerk and City Manager's office areas. In conjunction with the new heating and cooling system, a new ceiling grid and LED lighting system will also be installed. The existing, old window blinds will also be replaced.

The project invitation to bid was first published on May 22, 2022, with an original closing date of June 15, 2022. Staff extended the bid due date to June 21 to allow for more time for bid responses. Although more contractors attended the pre-bid walk through on June 7, 2022, only one bid was received by the bid closing date/time.

New furniture for the remodeled area will be an additional cost to be determined upon completion of the final selection of a vendor. HR will be required to develop a plan for relocating staff for the duration of the remodel. HR staff will coordinate with I.T. staff for phone and data connections, as well as ensuring that HR functionality will be maintained.

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission award a construction contract in the amount of \$626,500, to be paid with an allocation of American Rescue Plan Act (ARPA) funds, to Wadsworth Builders Company, Inc. and authorize the City Manager to execute the construction contract documents.**

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

Commissioner McKenney inquired if the bid was close to what the estimate was, as well as the timeframe of the project.

Director Raymond responded that the bid was approximately \$125,000 over what was anticipated; however, the bid was not out of line, given the rate of inflation and construction pressures. He will meet with the contractor on July 11, 2022 to set a schedule.

Commissioner Tryon inquired about the furniture purchase.

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Director Raymond responded that the furniture purchases could have been included in the contract; however, it is cheaper to have the ability to purchase direct through cooperative purchasing groups or through a state bid. He added that the furniture purchases would be funded through the City's ARPA allocation.

Commissioner Tryon commented that the remodel is needed; however, he suggested referring to it as a "functional upgrade to increase productivity for the benefit of the taxpayers" rather than a remodel.

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

Motion carried 4-0.

### ORDINANCES/RESOLUTIONS

30. **ORDINANCE 3245, PROVIDING THAT THE CHARTER OF THE CITY OF GREAT FALLS BE AMENDED TO ALLOW FOR ONE OR MORE ELECTED MUNICIPAL COURT JUDGES AND SUBMITTING SUCH CHARTER AMENDMENT TO THE ELECTORS OF THE CITY OF GREAT FALLS.**

City Attorney Jeff Hindoien reported that the Charter of the City of Great Falls establishes a judicial branch consisting of a Municipal Court in which all misdemeanor criminal, traffic and municipal code infractions are prosecuted. The Great Falls Municipal Court serves as a court of record under Montana law and has, even in its prior form as a City Court, which was not a court of record, consisted of a single elected judge.

The City Commission has previously recognized the need for additional judicial branch staffing and in the past approved budget authority for the sitting Municipal Court Judge to hire an assistant part-time Municipal Court Judge under provisions in Montana law that allowed for that gesture. The 2021 Legislature, however, took steps to repeal that "hiring" authority in SB 127 and enacted a new requirement that all Municipal Court Judges serve in positions that are subject to election.

Montana law provides that the City Commission "shall determine by ordinance the number of judges required to operate the municipal court." § 3-6-201(1), MCA. The City's current Charter language, however, provides that "there shall be a municipal court and an elected municipal court judge as provided by Montana law". Given the Commission's prior recognition of the need for additional judicial resources, including but not limited to the recent Crime Task Force Recommendations, and its present intention to allocate resources towards that additional judicial staffing as part of the FY 2022-23 budget, and the legislative change effected through SB 127, it is necessary to amend the Charter to remove that "singular" limitation on the number of elected municipal court judges to allow for the creation of a new and additional elected judge position.

Given the Commission's prior recognition of the need for additional judicial resources, including but not limited to the recent Crime Task Force Recommendations, and its present intention to allocate resources towards that additional judicial staffing as part of the FY 2022-23 budget, and the legislative change effected through SB 127, it is necessary to amend the Charter to remove

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that “singular” limitation on the number of elected municipal court judges to allow for the creation of a new and additional elected judge position.

Under Montana law, an amendment to a self-government charter may only be made by submitting the question of the amendment to the electors of the local government. § 7-3-103, MCA. In this type of situation where the local government is itself proposing the charter amendment, the amendment must be proposed by ordinance. The Ordinance being recommended to the Commission for approval here will serve as the procedural vehicle for submitting the proposed Charter amendment to the electors of the City of Great Falls this upcoming November.

**Commissioner Tryon moved, seconded by Commissioner McKenney, that the City Commission accept Ordinance 3245 on first reading and set a second reading for July 19, 2022.**

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 4-0.

### CITY COMMISSION

#### **31. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Wolff expressed appreciation to the Police and Fire Departments for its involvement with the Great Falls Safety Town hosted by the Great Falls College MSU, Life Long Learning Center, Public Schools and National Safety Towns Center, as well as a public safety training at East Middle School. She further expressed appreciation to the Fire Department for working with eight different fire entities for an inter-agency training.

#### **32. COMMISSION INITIATIVES.**

None.

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**ADJOURNMENT**

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Tryon, to adjourn the regular meeting of July 5, 2022, at 8:25 p.m.**

Motion carried 4-0.

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Mayor Bob Kelly

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Deputy City Clerk Darcy Dea

**Minutes Approved: July 19, 2022**