

**JOURNAL OF COMMISSION WORK SESSION**  
**July 5, 2022**

City Commission Work Session  
Civic Center, Gibson Room 212

Mayor Kelly presiding

**CALL TO ORDER: 5:30 PM**

**CITY COMMISSION MEMBERS PRESENT:** Bob Kelly, Susan Wolff, Joe McKenney and Rick Tryon. Eric Hinebauch was excused.

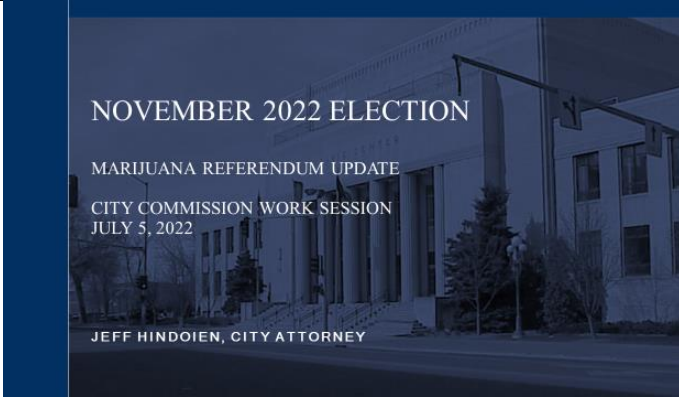
**STAFF PRESENT:** City Manager Greg Doyon; City Attorney Jeff Hindoien and Deputy Attorney David Dennis; Finance Director Melissa Kinzler, Deputy Finance Director Kirsten Myre, Budget Analyst Andrea McCracken and Grant Administrator Tom Hazen; Park and Recreation Director Steve Herrig; Public Works Director Paul Skubinna; Fire Chief Jeremy Jones; Police Chief Jeff Newton; and, Deputy City Clerk Darcy Dea.

**PUBLIC COMMENT**


None.

**1. NOVEMBER 2022 ELECTION – MARIJUANA BAN ORDINANCE REFERENDUM.**

City Attorney Jeff Hindoien reviewed and discussed the following PowerPoint:

	<p><b>PURPOSE</b></p> <ul style="list-style-type: none"><li>➤ Update to Commission re: Status of November 2022 Marijuana Referendum Process</li><li>➤ Election Timeline</li><li>➤ Proposed Resolution / Ballot / Ordinance Language</li></ul>										
<p><b>MARIJUANA REFERENDUM – BASIC TIMELINE</b></p> <table border="1" data-bbox="354 1591 773 1808"><thead><tr><th colspan="2">MARIJUANA REFERENDUM</th></tr><tr><th>Deadline</th><th>Item Due</th></tr></thead><tbody><tr><td>CCM July 5, 2022</td><td>Work Sessions re: Specific Language of Resolution / Ordinance / Ballot Package</td></tr><tr><td>CCM July 19, 2022</td><td>Regular Commission Meeting – Action on Resolution to Submit Ordinance to Electors at November 8, 2022 Election</td></tr><tr><td>CCM November 8, 2022</td><td>Election Day</td></tr></tbody></table>	MARIJUANA REFERENDUM		Deadline	Item Due	CCM July 5, 2022	Work Sessions re: Specific Language of Resolution / Ordinance / Ballot Package	CCM July 19, 2022	Regular Commission Meeting – Action on Resolution to Submit Ordinance to Electors at November 8, 2022 Election	CCM November 8, 2022	Election Day	<p><b>SPECIFIC RESOLUTION / ORDINANCE / BALLOT LANGUAGE</b></p> <p style="text-align: center;"><u>DISCUSSION OF DRAFT PACKAGE</u></p>
MARIJUANA REFERENDUM											
Deadline	Item Due										
CCM July 5, 2022	Work Sessions re: Specific Language of Resolution / Ordinance / Ballot Package										
CCM July 19, 2022	Regular Commission Meeting – Action on Resolution to Submit Ordinance to Electors at November 8, 2022 Election										
CCM November 8, 2022	Election Day										

**JOURNAL OF COMMISSION WORK SESSION**  
**July 5, 2022**

<p><b>ACTION TO BE TAKEN AT JULY 19, 2022 REGULAR MEETING</b></p> <ul style="list-style-type: none"> <li>➤ Commission will be considering and taking action on a <b>RESOLUTION</b> to refer an ordinance amendment to a vote of the electors             <ul style="list-style-type: none"> <li>➤ Will conduct a <b>PUBLIC HEARING</b> on the proposed Resolution</li> <li>➤ Will take action at the conclusion of the Public Hearing to either adopt or not adopt the Resolution</li> </ul> </li> <li>➤ If adopted, Resolution will be certified and transmitted to Cascade County Election Administrator for inclusion on ballot in November</li> </ul>	<p><b>ALTERNATIVE REGULATORY FRAMEWORK</b></p> <ul style="list-style-type: none"> <li>➤ <b>INDEPENDENT OF REFERENDUM PROCESS</b>, City staff is working to develop a proposed <b>regulatory framework</b> for consideration by the City Commission that <b>WILL ALLOW</b> the various commercial marijuana business categories to operate within the City of Great Falls:             <ul style="list-style-type: none"> <li>➤ Dispensary (Adult-Use/Medical)</li> <li>➤ Cultivation</li> <li>➤ Manufacturing</li> <li>➤ Testing</li> <li>➤ Transporter</li> <li>➤ Combined Use (Tribal Licenses)</li> </ul> </li> </ul>
<p><b>ALTERNATIVE REGULATORY FRAMEWORK</b></p> <ul style="list-style-type: none"> <li>➤ This <b>regulatory framework</b> would become effective in the event that the specific ban ordinance amendment is <b>REJECTED</b> by the electors in November</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li>➤ This <b>regulatory framework</b> would become effective in the event that the City is <b>ORDERED</b> by a <b>Court</b> to allow commercial marijuana business activities within the City of Great Falls</li> </ul>	<p><b>ALTERNATIVE REGULATORY FRAMEWORK</b></p> <p style="text-align: center;">Timing of Consideration</p> <p style="text-align: center;">Commission Input / Discussion</p>
	

City Attorney Hindoen provided and discussed draft Resolution 10471. He commented that there is a pending lawsuit against the City for not allowing an adult-use marijuana dispensary within the city limits. He explained that City staff is considering the approach taken by Kalispell, which only allows marijuana business activities to operate in I-1 and I-2 zoning, subject to the state licensing constraints.

Mayor Kelly received clarification that there is a fair amount of I-1 and I-2 zoning within the city limits. He further received clarification that the public hearing is not about the legalization of marijuana; it is about whether or not to submit the question to a vote of the electors prohibiting all types of Commercial Marijuana Business categories from operating within the city limits.

Commissioner Wolff expressed support of keeping the ballot language as simple as possible.

Commissioner McKenney expressed support of bringing forward the ballot language for a Public Hearing,

**JOURNAL OF COMMISSION WORK SESSION**  
**July 5, 2022**

as well as discussing the framework with regard to I-1 and I-2 zoning for marijuana business activities.

Commissioner Tryon commented that the proposed ballot language is clearer than the original draft proposal. He received clarification that state licensing requirements have proximity limitations with regard to marijuana business activities located in I-1 and I-2 zoning districts, as well as signage or advertising is regulated at the state level.

It was the consensus of the Commission that City Attorney Hindoien proceed with bringing forward the resolution and ordinance for Commission consideration.

**2. 2023 BUDGET –CONTINUED DISCUSSION**

- Municipal Court Budget

Municipal Court Judge Steve Bolstad was unable to attend the work session.

- Summary of ARPA/CARES

Finance Grant Administrator Tom Hazen provided and discussed a Draft American Rescue Plan handout that included the following:

- Original ARPA Balance \$19,472,737
- Prior Approval for Project Cost \$150,000
- Total ARPA Usage in FY2023 Budget \$5,752,134
- Running Balance \$13,570,603
- 25% Contingency for Inflation of Tier 1 Projects
- Total Other Identified Uses \$14,306,654
- Funding proposals for projects from Planning and Community Development Director Raymond's June 24, 2022 Memo
- ARPA Balance \$736,051
- Original CARES Balance
- Prior Approval \$1,141,151
- Total CARES Act Usage in FY2023 Budget \$1,677,000
- Running Balance \$7,341,012
- Total Other Identified Uses \$7,373,564
- CARES Balance \$32,552
- Total HB632 Awards \$12,369,669

Mayor Kelly received clarification that a \$500,000 grant with the Historic Preservation Society for the seating at the Mansfield Center for the Performing Arts was not included on the draft American Rescue Plan handout.

Finance Director Melissa Kinzler reiterated that changes could be made to the draft American Rescue Plan

**JOURNAL OF COMMISSION WORK SESSION**  
**July 5, 2022**

handout.

Grant Administrator Hazen explained that the legislature determines how much money is distributed with regard to the grant with the Historic Preservation Society and some of the identified uses for the Civic Center are Tier 2 projects. He added that additional infrastructure funds would not go directly to the City and the City would have to apply through state or federal agencies to secure those funds. Currently, two ARPA Applications have been received and the \$3 million cap of ARPA funding for City awards would more than likely be met.

Mayor Kelly reiterated that the Great Falls Development Authority (GFDA) proposals for the Milwaukee Station Gap Finance and Infrastructure Revolving Loan Fund are not an “all or none” request. He received clarification that the Public Safety Radio and Fire Truck are debt services.

Commissioner Wolff received clarification that the money from the GFDA proposal for the Infrastructure Revolving Loan Fund would remain with the GFDA.

Mayor Kelly stepped out at 6:28 and returned at 6:29 p.m.

- Summary of Development Incentives

Director Raymond provided and discussed a June 24, 2022 Memo regarding ARPA/CARES funding proposals that included the following:

Proposal 1: Reimbursement Fund.

Proposal 2: Belleview Palisades Storm Water Improvement Project.

Proposal 3: North End Storm Water Treatment Expansion.

Proposal 4: South End Infrastructure Expansion to New NeighborWorks Development.

Mayor Kelly expressed support of the ARPA/CARES funding proposals from the June 24, 2022 Memo.

**DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS**

City Manager Greg Doyon reported that topics for the July 19, 2022 work session include a GFDA/CARES Application, as well as a Public Safety Levy.

**ADJOURN**

There being no further discussion, Mayor Kelly adjourned the informal work session of July 5, 2022 at 6:43 p.m.