

**JOURNAL OF COMMISSION PROCEEDINGS**  
**January 17, 2023**

Regular City Commission Meeting

Mayor Kelly presiding  
Commission Chambers Room 206

**CALL TO ORDER:** 7:00 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Eric Hinebauch, Joe McKenney, Rick Tryon and Susan Wolff. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Chris Gaub, City Engineer Jesse Patton and Water Plant Manager Jason Fladland; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; City Attorney David Dennis; Police Chief Jeff Newton; and City Clerk Lisa Kunz.

**AGENDA APPROVAL:** City Manager Greg Doyon noted that motion verbiage was corrected in Agenda Report 16. 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:** Commissioner Joe McKenney commented that Agenda Item 6 pertains to an appointment to the Regional Airport Authority Board. The applicant is a sitting legislator. He disclosed that he made a financial contribution, helped with yard signs, and organized and hosted a fund raising event for applicant's campaign. Technically, it is not a conflict as there was no personal or financial gain. Ethically, he will not participate in discussion or vote on Agenda Item 6. Commissioner Hinebauch disclosed that he also made a financial contribution to applicant's campaign.

**PROCLAMATIONS**

1. Black History Month [February 2023] and Catholic Schools Week [January 29-February 4, 2023]

**COMMUNITY INITIATIVES**

2. **COMMUNITY HEALTH UPDATE FROM CITY COUNTY HEALTH OFFICER – ABIGAIL HILL.**

City County Health Officer Abigail Hill reviewed a handout dated January 16, 2023 titled Cascade County Weekly Communicable Disease Report that included weekly data on Respiratory Illnesses-Covid-19, Influenza, RSV and Pertussis; Sexually Transmitted Infections-Syphilis, Gonorrhea and Chlamydia; and food-borne & water-borne illnesses.

She also reported that the Epidemiology Team was reinstated today, comprised of representatives of medical providers, hospitals, Great Falls Fire Rescue, Montana Air National Guard and Malmstrom Air Force Base, to discuss trends and conduct tabletop exercises.

Health Officer Hill reported that Covid-19 and flu shots are no longer offered at businesses and clinics, but are available by appointment or walk-in at the City County Health Department.

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She concluded that the Deputy Health Officer position would be reposted, which is a Prevention Services Division Manager position.

### 3. **PETITIONS AND COMMUNICATIONS**

**Shannon Wilson**, 1201 6<sup>th</sup> Avenue South, expressed concern that the Growth Plan has not been updated since 2013. She suggested the current Growth Plan caters to developers acquiring land and strong-arming their way into changing zoning designations to their benefit. She inquired when Great Falls would have a much-needed updated Growth Plan.

**Brett Doney**, Great Falls Development Authority, 405 3<sup>rd</sup> Street NW, announced that two long-standing companies that the City has had significant involvement, Pasta Montana and Montana Specialty Mills, announced significant local expansion projects.

### **NEIGHBORHOOD COUNCILS**

#### 4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

### **BOARDS AND COMMISSIONS**

#### 5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

None.

#### 6. **APPOINTMENT TO THE REGIONAL AIRPORT AUTHORITY BOARD.**

Mayor Kelly reported that on November 10, 2022, the City received notification from the City's appointed Board member, Anthony "Tony" Aretz, that he was appointed by the County Commission to serve as one of their Board representatives as he lives outside the City limits. His term as a City representative ran through December 31, 2023. City staff advertised for the vacant position. One application was received and the Commission interviewed applicant Scot Kerns during a Special Work Session this afternoon. Due to the above-reported disclosure, Commissioner McKenney excused himself from that interview process.

**Mayor Kelly moved, seconded by Commissioner Wolff, that the City Commission not appoint Scot Kerns to the Great Falls Regional Airport Authority Board for the remainder of a three-year term through December 31, 2023.**

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly asked if there was any discussion amongst the Commissioners.

After a brief discussion, Mayor Kelly and Commissioners Wolff and Tryon concurred that applicant Kerns has great qualifications to be on the Airport Authority Board, but there may be a better time for consideration when he is not as busy with the responsibilities of his elected State Legislator position and the committees that he is on in that capacity.

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

Motion carried 3-1-1 [Commissioner Hinebauch dissenting; Commissioner McKenney abstaining].

**CITY MANAGER**

**7. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported the following:

- Public ARPA Allocation Process – The City has begun finalizing agreements with each of the award recipients, with about half on the agenda this evening and the remainder will be on the February 7, 2023 agenda. Grant Administrator Tom Hazen has hosted orientation meetings to discuss the procedures and policies with all of the sub-award recipients. Every recipient has agreed to provide a quarterly narrative of their projects, which will be relayed to the Commission and posted on the City’s website. Grant Administrator Hazen will also make quarterly calls to all recipients to make sure there is ongoing communication with the applicants.
- Great Falls Animal Shelter (GFAS) – GFAS is launching a “Return to Home” program with a goal of keeping pets from coming into the shelter, and expediting pets in the shelter being reunited with owners. A program initiative is partnering with Petco to provide animal facial recognition that will be loaded into a national database to match stray animals with lost animal reports, new licenses with QR codes to provide owner information, as well as an educational campaign on Facebook and the City’s website.
- Council of Councils Meeting – January 24, 2023 at 7 pm in the Civic Center Gibson Room.

Manager Doyon also announced that he would be attending Leadership Montana in Helena this Wednesday through Friday.

**CONSENT AGENDA.**

\* Commissioner McKenney requested that Item 13 be pulled for separate discussion and/or vote.

- 8.** Minutes, January 3, 2023, City Commission Meeting.
- 9.** Total Expenditures of \$4,137,107 for the period of December 16, 2022 through January 4, 2023, to include claims over \$25,000, in the amount of \$1,427,009.
- 10.** Contracts List.
- 11.** ARPA Sub-Award Grant Agreement List as approved by the City Commission at its December 6, 2022 meeting.
- 12.** CARES Grant Agreement as approved by the City Commission at its September 6, 2022 Meeting.

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- \*13.** Approve the Professional Services Agreement with Robert Peccia & Associates for the preparation of an Update to the Great Falls Area Long Range Transportation Plan to be funded with Federal Transportation Planning dollars. **OF 1662.2** [\*Pulled for separate discussion and vote.]
- 14.** Rescheduling the Tuesday, July 4, 2023 Commission Work Session and Meeting to Wednesday, July 5, 2023.

**Commissioner Tryon moved, seconded by Commissioner Hinebauch, 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.

Mayor Kelly noted that Agenda Item 10D awards a Professional Services Agreement to TD&H Engineering for design and construction phases to support the demolition of the Natatorium.

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

Motion carried 5-0.

- 13. APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH ROBERT PECCIA & ASSOCIATES FOR THE PREPARATION OF AN UPDATE TO THE GREAT FALLS AREA LONG RANGE TRANSPORTATION PLAN TO BE FUNDED WITH FEDERAL TRANSPORTATION PLANNING DOLLARS. OF 1662.2**

Planning and Community Development Director Craig Raymond reported that staff issued a Request for Proposals (RFP) for professional services. Staff received several inquiries but only one proposal was received. Robert Peccia & Associates has worked with the City of Great Falls on the Great Falls Area Long Range Transportation Plan and updates to it over the years. This planning document is fully federally funded.

**Commissioner Hinebauch moved, seconded by Commissioner Wolff, that the City Commission approve the Professional Services Agreement with Robert Peccia & Associates in the amount of \$256,872 for the preparation of an Update to the Great Falls Area Long Range Transportation Plan.**

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

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Commissioner McKenney made inquiries pertaining to street networks and projected growth south and north of Great Falls as it relates to Scope of Services Task 8.1 on page 164 of the agenda packet.

Director Raymond explained that street networks pertain to different categories of roadways and arterials. City staff has a reasonably good sense of where roadways are likely to be if they do not exist now, but it also will depend on what types of developments are being proposed and what type of road network is appropriate under particular contexts or circumstances. Staff uses the information in the Long Range Transportation Plan to make decisions and recommendations to the Commission, for approval or modification of development proposals, and to mitigate different impacts in certain areas versus other areas.

Mayor Kelly inquired how the City could have a current Long Range Transportation Program that indicates where the growth is going to be, and not have a long range Growth Plan that is also current.

Director Raymond responded that he promotes the idea of an updated Growth Plan, has made budget requests for it, but at this point it has not been funded.

City Manager Greg Doyon added that the need to update the Growth Plan was discussed at the last Commission retreat, but funding for it did not make it through the budget process. Staff has worked on some revisions to the Plan, but the Department does not have dedicated staff at the level to fully update the Plan. It remains to be seen if there will be up to \$200,000 to appropriate this budget cycle to hire a consultant to fully update and rewrite the Growth Plan. The community is seeing growth and now the City may need to be in a more proactive posture to address it.

Commissioner Wolff commented that the Commission had received an engineering report pertaining to street recommendations around Bootlegger Trail and 43<sup>rd</sup> Street. She inquired if the Long Range Transportation Plan would include those recommendations.

Director Raymond responded that the consultant would have access to the most recent North Great Falls Transportation Study for review, and to make recommendations to the City.

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

Motion carried 5-0.

### **PUBLIC HEARINGS**

15. **RESOLUTION 10480, A REQUEST FROM BRIAN MILLER FOR A CONDITIONAL USE PERMIT (CUP) FOR A “TWO-FAMILY RESIDENCE” LAND USE UPON THE PROPERTY LOCATED AT THE CORNER OF 6TH AVENUE SOUTH AND 20TH STREET SOUTH.**

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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 owner of 1925 6<sup>th</sup> Avenue South has submitted an application for a CUP in order to construct a two-unit dwelling on the property. Because the property is located within the R-3 Single Family High Density zoning district, a duplex may be allowed but does require City Commission approval through a conditional use permit.

Given that the property is located within the R-3 zoning designation, duplexes are a natural fit and there are several other existing duplexes in the surrounding neighborhood. The physical dimensions of the property will easily accommodate the requested duplex land use. The agenda report sets forth a note about the removal of the porch encroachment. That porch is actually part of the existing structure to the west of 1925, which is also owned by the same owner who has agreed to resolve the existing setback violation.

Based on the details of the request, staff finds that granting the CUP would be in the interest of the applicant, the City and community at large by providing additional housing opportunities in a zoning district that is intended to accommodate such uses.

**Applicant Brian Miller**, 1607 Penn Cove Rd, Oak Harbor, Washington, commented that staff has done an admiral job presenting his plan, and he is available for questions.

Mayor Kelly asked if the Commission members had any questions of staff or the applicant. Hearing none, Mayor Kelly asked if there were any comments from the public in support of Resolution 10480.

**Brett Doney**, Great Falls Development Authority (GFDA), commented that this is just the type of housing projects needed in Great Falls. Every unit is a home for a family. If the Commission can find the money, he believes it is a good idea to update the Growth Policy. In the meantime, he suggested considering allowing this type of project by right in certain neighborhoods. Developing from within is always more cost effective.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10480. Hearing none, Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission adopt Resolution 10480 for a Conditional Use Permit to allow a “Two-Family Residence” land use in the R-3 Single-Family High Density zoning district upon the property legally described as Lot 8, Block 9, Huy Addition, and the accompanying Basis of Decision subject to the applicant fulfilling the listed Conditions of Approval.**

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

Commissioner Tryon suggested finding ways to make the CUP process easier and expedited in the future, or possibly changing zoning classifications.

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Director Raymond agreed with the recommendation of changes to the regulations, particularly in the R-3 zoning districts.

Commissioner McKenney commented that a duplex certainly fits the character of the neighborhood. Increasing the residential density of the lot from one to two units will not adversely impact the area, but will result in increased property tax revenue.

Commissioner Tryon added that Neighborhood Council 9 heard the presentation and voted unanimously to support the CUP.

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

Motion carried 5-0.

16. **RESOLUTION 10486, A REQUEST FROM TALCOTT PROPERTIES FOR WEST BANK TAX INCREMENT FINANCING (TIF) FUNDS FOR INFRASTRUCTURE BUILDOUT TO SERVE WEST BANK LANDING NORTH PHASE, LOTS 4B, 5, AND 6B.**

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

Planning and Community Development Director Craig Raymond reported that Talcott Properties has been involved with the development of the West Bank TIF District for many years, working on both West Bank One, as well as West Bank Landing. This next phase of development (West Bank Landing - North Phase) includes three lots, two of which have users already identified: a hotel and a fast casual restaurant. In order to support commercial development in the three remaining lots, installation of infrastructure is necessary. This Tax Increment Financing request is to reimburse the developer for the design and construction of public water and sewer mains, private storm mains, additional private utilities, environmental remediation, as well as a new private drive approach to the development from 3<sup>rd</sup> Street NW. The applicant's request is for \$972,373, and if approved, will result in the developer being reimbursed in two phases. The first phase will include the completed design and approach work, while the second phase will be at the time of completion of the entirety of the infrastructure work. This will be dependent on the availability of funds in the TIF District.

The current balance of the West Bank TIF District is \$436,740. This is not inclusive of any other outstanding obligations. The applicant will be reimbursed with TIF funds based on the completion and City inspection of the infrastructure as well as the availability of funds. Currently, there is not a sufficient balance to reimburse the entire request. It is anticipated, however, that when all phases as described in the agenda report and development agreement are completed, there should be sufficient balance on-hand to complete the reimbursement.

**Applicant Brad Talcott**, 2801 4<sup>th</sup> Avenue North, commented that the 15-year project has gone through challenging times with a recession, interest rates and Covid. Things are on an upswing as reflected in the activity at West Bank. Not only are there two projects related to the northern sites, but two other projects on other sites will be coming before the City.

Mayor Kelly asked if the Commission members had any questions of staff or the applicant.

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Commissioner Tryon inquired if there have been any other requests for funding from this TIF District.

Director Raymond responded there have been no recent requests.

Commissioner Tryon inquired how many other potential developments are in this TIF District. If this request is approved, there will be no money for a period of time in the TIF account.

Director Raymond clarified that the reimbursement to Applicant Talcott will be based on the performance of the project and when certain phases of the project are completed. There are other developments that would be eligible, but no one has requested TIF funding.

Mayor Kelly asked if there were any comments from the public in support of Resolution 10486.

**Brett Doney**, Great Falls Development Authority, commented this is a project the City can be proud of. It dates back to a Master Plan effort and an EDA planning grant that started the basis for what became the 90-acre West Bank Urban Renewal District. GFDA is excited about this next phase. The developer is putting in \$26 million dollars and this TIF reimbursement request is less than four percent. The hotel alone will generate quite a bit of property tax and supports the tourism industry. He expects the dollars to climb as it leads to more development in West Bank and surrounding properties. GFDA has loaned money for West Bank Landing, and bridge/gap funds into this proposed project. GFDA considers it a wise investment as it will improve the City, create jobs and tax base, and will boost amenities and tourism that supports Great Falls.

Mr. Doney thanked Applicant Talcott and all developers that are working hard to try to make projects pencil during these uncertain economic times.

Applicant Talcott clarified that, in the early days it took years to be paid back. Now that he has been at it for 15-years, there is a lot more tax increment in the fund. When the TIF district expires, there will be significant tax revenue to the City.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10486.

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

**Commissioner Wolff moved, seconded by Commissioner Hinebauch, that the City Commission adopt Resolution 10486 to allow Talcott Properties to receive reimbursement in the amount of \$972,373 of West Bank Urban Renewal District TIF funds for infrastructure buildout of West Bank Landing-North Phase, and approve the Development Agreement for West Bank Landing, Phase II, Lots 4-6.” OF 1488.5**

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

Commissioner McKenney inquired when the TIF District expires.



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Finance Director Melissa Kinzer responded TIF districts are originally created for 15-years. But, the number of years can increase up to 40-years if debt is issued against the TIF district. Debt was issued against this TIF District and will expire in 2042.

Commissioner McKenney pointed out that the \$26 million dollar project includes \$972,000 for public utility installation of sewer, water and storm drains. He thanked the 2007 Commission for their vision in creating the District.

Commissioner Wolff expressed gratitude for the vision and Brad and Linda Talcott for making it happen.

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

Motion carried 5-0.

### OLD BUSINESS

17. **WATER TREATMENT PLANT SOLIDS MITIGATION PROJECT ALTERNATIVE PROJECT DELIVERY CONTRACT AWARD FOR GENERAL CONTRACTOR CONSTRUCTION MANAGER (GCCM) SERVICES [OF 1698.1].**
18. **WATER TREATMENT PLANT SOLIDS MITIGATION PROJECT PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING CONSTRUCTION PHASE SERVICES [OF 1698.1].**

Public Works Director Chris Gaub reported that Agenda Items 17 and 18 are directly linked and will be presented together. The requested action is that the Commission approve Agenda Item 17, a construction project to mitigate solid waste at the Water Treatment Plant, and Agenda Item 18, a Professional Services Agreement to oversee the construction project identified as Agenda Item 17.

The Water Treatment Plant produces alum sludge, which is currently routed to storage ponds on site, except in the winter months when it is discharged directly to the sanitary sewer collection system. It is not efficient to dispose of the sludge deposited in the storage ponds. The sludge first has to be excavated and hauled to an off-site drying location, and then it is re-loaded and hauled to a final disposal site.

AE2S was hired in 2017 to perform a cost analysis and recommend process improvements. The analysis recommended a project that will cut sludge disposal operating and maintenance costs in half and have a financial payback period of 25 to 30 years. It also reduces the risk of accidentally dropping sludge on the City streets during haulage.

In winter months, the sludge is disposed directly into the sanitary sewer system. Data from a study shows that the sludge significantly increases concentrations of arsenic, a naturally occurring chemical, at the wastewater plant. This caused the wastewater plant to exceed its allowable arsenic discharge concentration in the winters of 2015 through 2018. This project would stop the disposal of the alum sludge in the sanitary sewer and remove the arsenic attributed to the sludge from the Wastewater Treatment Plant.

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The project also increases system resiliency at the Water Treatment Plant. It would replace the circa 1930's traveling screen, which would allow the plant to have two functioning screens for system resiliency.

In 2021, the City competitively solicited proposals from qualified engineering firms to design the project. In September of 2021, the Commission awarded a Professional Services Agreement to AE2S.

During early design, the engineering firm advised that this project would be a good candidate for an alternative delivery method, General Contractor Construction Manager (GCCM), and the City elected to pursue this alternative delivery method.

GCCM allows for an accelerated project schedule, reduced project risk by contractor collaboration during design, and allows for a negotiated total project price (or guaranteed maximum price). GCCM projects must meet two of the three statutory criteria to be eligible-complexity, accelerated schedule, or cost savings. On January 4, 2022, the Commission adopted written findings demonstrating that this project met the statutory criteria for accelerated schedule and cost savings. Staff competitively solicited qualified GCCM candidates. In early 2022, Sletten Construction Companies was awarded a GCCM pre-construction phase contract.

During design, project cost projections came in higher than anticipated. Staff subsequently collaborated with the design team and contractor to reduce project costs by reducing the building size, removing a workshop room, removing a second floor or mezzanine, and making the process equipment as efficient as possible. Bids for sub-contracted work were obtained in December of 2022 and the resultant guaranteed maximum price is \$11.1 million.

The Public Works and Legal departments have worked towards and support the proposed GCCM construction contract structure. The project is a priority for the City's Water Treatment Plant and water treatment and disposal system as a whole. Staff recommends that the Commission award both Agenda Item 17, the GCCM construction contract for just over \$11M and also Agenda Item 18, the construction phase Professional Services Agreement, for just under \$547K, with total costs split evenly between water treatment plant and wastewater treatment plant enterprise funds.

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission award a General Contractor Construction Manager (GCCM) Construction Contract to Sletten Construction Company for Construction Services at a Guaranteed Maximum Price (GMP) of \$11,110,162 for the Water Treatment Plant Solids Mitigation Project, and authorize the City Manager to execute the agreement documents.**

Mayor Kelly asked if there were any comments from the public in support of or opposition to Agenda Items 17 and 18.

**Dr. Cheryl Reichert**, 51 Prospect Drive, submitted written comments requesting consideration of allocating funds for a formal feasibility study of piping water directly from Giant Springs into the Water Treatment Plant. Dr. Reichert suggested this improvement would safeguard health and save the City millions of dollars in the long run, and would make our community one of the most desirable small cities on the planet.

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

Commissioner McKenney referred to page 274 of the agenda packet and reiterated that the Great Falls Water Treatment Plant treats surface water from the Missouri River. He inquired if the City had the water rights to generate water for a growing community.

City Manager Greg Doyon responded in the affirmative, adding that it was contingent upon the type of new development that occurs here. Potentially, a heavy industrial user could put a strain on water.

Commissioner McKenney inquired if water rights would be part of the long term Growth Plan.

City Manager Doyon responded it could be part of the natural resources component of the Growth Plan. It lies more with preserving the water rights that the City has, watching consumption at the Water Treatment Plant and discharge from the wastewater, and making sure the City has a qualified consultant that is watching what is happening statewide with potential filings against the City's water reservation rights.

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

Motion carried 5-0.

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission approve a Professional Services Agreement in the amount of \$546,700 to Advanced Engineering and Environmental Services, Inc. (AE2S), for Construction Phase Services for the Water Treatment Plant Solids Mitigation Project, and authorize the City Manager to execute the agreement documents.**

Mayor Kelly asked if there were any comments from the public in support of or opposition to Agenda Item 18. Hearing none, Mayor Kelly asked if there was any further discussion amongst the Commissioners.

Commissioner McKenney referred to page 325 of the agenda packet and inquired the dollar amount of savings resulting from 50% reduction in operation and maintenance costs associated with the current solids handling at the Water Treatment Plant.

Director Gaub responded he would provide that information to the Commission.

Manager Doyon added that the transportation savings alone would be significant.

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

Motion carried 5-0.

**NEW BUSINESS**

**19. GREAT FALLS WASTEWATER TREATMENT PLANT SOLIDS BUILDING HVAC IMPROVEMENTS [OF 1633.3].**

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Public Works Director Chris Gaub reported that it is important that the Wastewater Treatment Plant meet code, have well-functioning electrical systems, and be a pleasant place for operators to work. It has been a priority to address various interior odors and gasses produced by the Wastewater Treatment Plant. To address this issue, the Public Works Department solicited GPD Engineering, a local mechanical engineering expert, to perform a study and assess the most critical areas needing improvement.

That study was completed in 2017 and determined that a critical project is required to improve the air quality conditions inside the solids processing building. Over the years, space-by-space changes to the air distribution within the solids building have made buildup of undesirable ammonia gasses possible. Air stagnation and the ammonia gasses, while safe, do cause discomfort to staff when they enter these spaces to check on equipment. Ammonia gas is also corrosive and, since 2009, has caused roughly \$36,000 in material costs to repair damage to the building's electrical equipment. Also, the current air handling equipment in the solids building is not producing enough air cycles to meet Department of Environmental Quality air change per hour requirements.

Approval of this project makes air-handling improvements within the solids processing building to provide better indoor environmental control of all spaces, to prevent damage to sensitive electrical components, and to increase air cycles to comply with codes.

For various reasons, it was difficult to find interested and qualified contractors. The City began soliciting bids from qualified contractors in October of 2022, and ended up delaying the bid opening several months to secure a qualified bid. The project performance period was also extended so contractors could better manage the long lead times and uncertain availability of equipment acquisition.

Although only one bid in the amount of \$1.13 million was received, City staff believes this is an acceptable bid after discussion with the City's consultant. Re-bidding the project will likely not result in a lower bid based on conversations with the consultant and with various contractors. The pandemic drove a bidding market that is difficult to predict. This project was designed with a fiscally responsible approach, and staff does not see more opportunities to cut project scope to save costs.

All that stated, the requested action is that the Commission approve the use of \$1.13 million dollars from the wastewater treatment enterprise fund to complete this project.

**Commissioner Hinebauch moved, seconded by Commissioner Wolff, that the City Commission award the bid of \$1,133,889 to Central Plumbing and Heating, Inc. for the Great Falls Wastewater Treatment Plant Solids Building HVAC Improvements, and authorize the City Manager to execute the contract documents.**

Mayor Kelly asked if there were any comments from the public in support of or opposition to the award of a contract for this project.

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

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Commissioner Tryon noted the bid of \$1.1 million for an HVAC project seems high to him, and was higher than what staff anticipated.

Director Gaub responded the original estimate was in the \$700,000 range.

Commissioner Tryon inquired why there was only one bidder.

Director Gaub responded finding a company that specializes in this work and difficulty acquiring equipment to go into the construction project was a challenge.

Commissioner McKenney commented that six-years is a long time from when the 2017 study was commissioned to now. He inquired if there were extenuating circumstances for the delay in bidding.

City Manager Doyon speculated that sometimes capital improvement projects get bumped for something with more priority. He shares the concerns of the Commission about inflation and the inability to obtain competitive bids. However, the project is needed as Director Gaub explained the health and safety aspects of the project.

Director Kinzler added when the rate setting process begins there is a five-year capital improvement plan. Projects are prioritized by the amount of revenue received. She assumes the project was bumped due to other capital improvement priorities or there was not enough revenue to fund the project.

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

Motion carried 5-0.

## ORDINANCES/RESOLUTIONS

### CITY COMMISSION

#### 20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Wolff announced that she has been asked to serve on the Board of Directors for Central Montana Works. She will serve in an ex-offio, non-voting capacity, so there will be no conflict of interest.

Mayor Kelly expressed condolences to Cheryl Ulmer and family for the passing of long-time community member and mechanic Greg Ulmer. He will be missed in our community.

#### 21. COMMISSION INITIATIVES.

None.

#### 22. LEGISLATIVE INITIATIVES.

None.

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**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Kelly, to adjourn the regular meeting of January 17, 2023, at 8:43 pm.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

**Minutes Approved: February 7, 2023**