

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 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 Deputy City Manager Chuck Anderson, Planning and Community Development Director Craig Raymond, Finance Director Melissa Kinzler, Park and Recreation Director Steve Herrig, City Attorney David Dennis, and City Clerk Lisa Kunz.

AGENDA APPROVAL: There were no proposed changes to the agenda by the Deputy 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 Dan Voorhies, Malmstrom Air Force Base, provided the following updates:

- MAFB has 14 local annual award winners that will go on to compete, and awards MAFB received so far include: medium nuclear commanding control operations unit of the year, tech modernization team of the year, best small installation level FSS, civilian and military personnel flight of the year, child and youth services flight of the year, and resource management flight of the year.
- Upcoming events include:
 - Visits from Assistant Secretary of the Air Force Hon. Alex Wagner and Chief Master Sergeant JoAnne Bass March 16-17, 2023, and 20th Air Force Commander Maj. Gen. Lutton March 19-22, 2023
 - Wing Readiness Exercise March 15, 2023
 - RISE Women's Leadership Symposium March 19-22, 2023
- A team from the USAF School of Aerospace Medicine visited MAFB last week to scope their commissioned study pertaining to reports of Non-Hodgkin lymphoma being linked to missile duty.

2.

PETITIONS AND COMMUNICATIONS

Jeni Dodd, City resident, noticed that the City has not issued a proclamation for, and the Library is not celebrating, Women's History Month. She opined that the Library would rather celebrate men who impersonate women as in hosting Drag Queen Story Hour despite the Library Director's claims

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

to the contrary. She inquired plans of holding the City official accountable. False information was also spread to the local media that the Library would close its doors if the levy did not pass. She opined that false information was meant to influence an election. Ms. Dodd also provided information about the history of drag going back to ancient Greece. She is appalled that the City supports the Library's discriminatory history against women with local tax dollars.

Jan Wenaas, 18 Riverwood Ln, expressed concern about rising costs of utilities, and the County, City and Library mill levies when families are already financially strapped, as well as the low participation rate by electors in special elections. She suggested that the November election or the School Board election would have encouraged more participation by the public. It is her understanding that the School Board election was not pursued resulting in the Library's special election in June, costing taxpayers an additional \$48,000. She wants all families in Cascade County to feel safe when entering the Library. Exposing children to books that are pornographic is very disturbing. The Drag Queen Story Hour was promoted and hosted in the Spring of 2021. She and others will do their best to inform the public of the facts.

Mike Scheer, City resident, referred to Agenda Item 12, and suggested the ARPA money was kept a secret during Library mill levy discussions. He suggested that the \$48,000 special election costs could have went towards the Library's internet project. He challenged the City Commission and Department Heads to be creative in everything they do in their departments to help save tax dollars. He applauded the facilities manager mentioned at the last meeting that saved the City money and suggested he be recognized for saving taxpayer dollars. He also suggested that it be made transparent and clear to voters that the Library mill levy is a charter change and will be a permanent increase. Mr. Scheer also noted that the public rarely gets answers to their questions during Commission meetings.

Mayor Kelly commented that the Commission does at times respond to comments made at the end of the meetings. He explained that a lot of times it is something that the Commission is not ready to address, or will address at a later time or have staff respond. He added that the Commission members are willing to visit with the public after the meetings.

David Saslav, City resident, commented that he took the initiative of putting together a Great Falls events page called the Electron on the KGPR public radio website. Mr. Saslav inquired if there had been any progress on updating the Growth Policy.

Mayor Kelly responded that the Commission would be addressing his inquiry.

NEIGHBORHOOD COUNCILS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

JOURNAL OF COMMISSION PROCEEDINGS
March 7, 2023

None.

5. APPOINTMENT TO THE REGIONAL AIRPORT AUTHORITY BOARD.

On November 10, 2022, the City received notification from the City's appointed Board Member, Anthony 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 originally ran through December 31, 2023. City staff began advertising to fill his vacancy. One application was received and the Commission interviewed Mr. Scot Kerns during a Special Work Session on January 17, 2023. At the January 17, 2023 Commission meeting, the Commission voted to not appoint Mr. Kerns at that time due to his current schedule as a legislator. The City advertised and received two applications from Ms. Terry Thompson and Ms. Lynda Morin. The Commission interviewed both applicants during a Special Work Session on March 7, 2023, just prior to this meeting.

The Airport Authority and the Airport Authority Board does not generally make recommendations on appointing or reappointing Board Members.

Commissioner Tryon moved, seconded by Commissioner McKenney, that the City Commission appoint Terry Thompson 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.

Commissioner Wolff commented it was a pleasure to have two highly qualified individuals apply. It has been difficult to find people to give their time and expertise.

Commissioner McKenney commented that both candidates would be excellent for the position. Terry Thompson has proven herself a public servant in an elective office and still wants to serve her community.

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

Motion carried 5-0.

CITY MANAGER

6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Deputy City Manager Chuck Anderson reported the following updates:

- Jake McKenna was hired as the new Utilities System Manager.
- Great Falls Fire Rescue (GFFR) was notified that it was awarded a FEMA Assistance to Firefighters Grant in the amount of \$900,545 to purchase a new 107' aerial apparatus and will replace the 1995 75' apparatus. GFFR is working with Public Works Central Garage and the Pierce representative to start the purchasing process to acquire the vehicle. The City

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

match for the grant is 10%. The final vehicle cost with equipment will be closer to \$1.6 million dollars.

- The Planning and Community Development Director position is currently being advertised nationally.
- Tonight is Craig Raymond's last City Commission meeting and his last day with the City as the Planning and Community Development Director. Craig has been a tremendous asset to the City and a leader who will be sorely missed.

Planning and Community Development Director Craig Raymond expressed that it has been an honor to serve the community the last 12 years, and appreciated the trust and support extended to him and his amazing staff. He is proud to have been a part of some great projects. It has been a pleasure to work with the Commission that has a keen interest and desire to see new growth.

The Commission also expressed appreciation to Director Raymond for his service and extended well wishes in his new endeavors.

CONSENT AGENDA.

7. Minutes, February 21, 2023, City Commission Meeting.
8. Total Expenditures of \$2,875,532 for the period of January 31, 2023 through February 23, 2023, to include claims over \$25,000, in the amount of \$1,930,389.
9. Grants List.
10. Approve the purchase of one new Peterbilt 548 tandem axle dump truck/snow plow from Jackson Group Peterbilt of Missoula, through the governmental purchasing service cooperative Sourcewell, for a total of \$236,997.
11. Accept a grant in the amount of \$200,000 from the Montana Tourism Grant Program to do infrastructure upgrades and enhancements at the Aim High Big Sky Recreation Center. **OF 1770**
12. Approve use of American Rescue Plan Act funds in the amount of \$50,600 to pay for expenses related to the Library Broadband Expansion (**OF 1762.3**) and Animal Shelter Cattery (**OF 1673.1**) projects.

Commissioner Wolff 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.

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

Jeni Dodd, City resident, referred to Agenda Item 12 and noted she was in favor of approving ARPA funds for the cattery. She spoke in opposition to the award of ARPA funds for the Library, and reminded the Commission that the Library is asking for a \$1.5 million dollar levy that is an increase from 2 mills to 17 mills. Ms. Dodd concluded that the Montana State Library spending per capita lists Great Falls at \$25, not \$19, as has been previously reported.

Written comments in support of Agenda Item 12 were received from **Linda Metzger**, Cascade County resident.

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

Commissioner Tryon commented that the Library was successful in raising funds for the broadband expansion and the requested allocation will cover the “last mile” of the project.

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

Motion carried 5-0.

PUBLIC HEARINGS

13. **REQUEST FROM LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF MONTANA TO ANNEX AND ESTABLISH CITY ZONING ON PROPERTY ADDRESSED AS 1301 STUCKEY ROAD.**

- I. **RESOLUTION 10489, TO ANNEX TRACT 1 OF CERTIFICATE OF SURVEY NO. 5337, AND IMPROVEMENT AGREEMENT.**
- II. **ORDINANCE 3255, TO ASSIGN THE CITY ZONING CLASSIFICATION OF M-2 MIXED-USE TRANSITIONAL FOR TRACT 1 OF CERTIFICATE OF SURVEY NO. 5337 AND THE ACCOMPANYING FINDINGS OF FACT.**

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 Little Shell Tribe of Chippewa Indians of Montana submitted an application in October to annex and establish the City zoning designation of M-2 Mixed-Use Transitional to the 3.684-acre parcel of land addressed as 1301 Stuckey Road. This specific piece of property has been an eyesore for a number of years and since the property has come under the Tribe’s ownership, it has been reclaimed to productive use. The Tribe has worked with City staff on current and future possibilities for the property. Given the context of location, surrounding uses and anticipated development, the Tribe and City staff feel that M-2 Mixed Use Transitional is appropriate. In the Official Code of the City of Great Falls (OCCGF), M-2 is defined as:

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

“This district is intended to promote a transition over time to a predominately mixed-use land use pattern. Because of changing economic conditions and other factors, some current uses do not represent the highest and best use, given other more suitable areas. Current industrial uses and warehouses are not considered nonconforming. As such, current industrial uses and warehouses existing at the time this Title was adopted are allowed to expand or to be re-established, if damaged, provided development and appearance standards under the purview of the Design Review Board are met.”

The property is also adjacent to a utility system that was extended to and for the former Montana Egg facility. When utility systems are leapfrogged in this way, it is often required that adjacent property owners who may eventually connect to and benefit from these utility investments reimburse the City or other parties for a proportionate share of those costs. Such is the case with this property and development. In this specific case, the Tribe will be required to contribute \$45,487.54 towards the construction of those utilities.

Based on statutory review criteria and criteria found in the OCCGF, the proposed annexation is a fitting request, a good project and staff recommends approval of the annexation and application of M-2 zoning.

On January 5th, Neighborhood Council 3 voted to recommend approval of the proposal. On January 10, 2023, the Planning Advisory Board/Zoning Commission conducted a public hearing and voted to recommend approval of the annexation and request for M-2 zoning.

The requested action is that the City Commission conduct the public hearing and to adopt Resolution 10489 annexing the subject property and Ordinance 3255 assigning M-2 zoning to the same.

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 Resolution 10489 and Ordinance 3255.

Jolene Schalper, Great Falls Development Authority (GFDA), commented that GFDA is enthusiastically in support of this project.

Mayor Kelly asked if there were any comments from the public in opposition to Resolution 10489 and Ordinance 3255.

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

Commissioner Hinebauch moved, seconded by Commissioner McKenney, that the City Commission adopt Resolution 10489 to annex Tract 1 of Certificate of Survey No. 5337 and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

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

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

Commissioner Tryon noted that the City would be reimbursed for utility extensions. There will be no additional cost to the City, and the annexation will facilitate potential future improvement to the property. This will increase the City's tax base and increase revenue. Neighborhood Council 3 also voted to support this proposal.

He concluded that there are abundant opportunities for citizens to weigh in on every issue that the City takes up from neighborhood councils and advisory boards, to Commission work sessions and meetings. The ARPA money for the Library, for example, was voted on last year. There were numerous opportunities since last April for the public to weigh in on that topic.

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 adopt Ordinance 3255 to assign City zoning classification of M-2 Mixed-Use Transitional for Tract 1 of Certificate of Survey No. 5337 and the accompanying Findings of Fact.

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

Commissioner McKenney inquired the difference between the County zoning designation of Commercial to City zoning designation of M-2.

Director Raymond responded that staff review includes the intentions of the property owner, looking at the surrounding area to determine a good fit and taking into consideration land use laws. To some extent, there is a constraint to what is going on around the property. In the context of the area and surrounding zoning designations, M-2 is a perfect fit and fits their intended use of the property at this point.

Commissioner McKenney requested additional information about the possibility of a tiny homes development for rent by tribal members struggling to find affordable housing in Great Falls.

Director Raymond responded that the discussion of tiny homes has been a hot topic, and there has been some legislation this year to address tiny homes. Tiny homes are already allowed in Great Falls. City staff is excited about the idea, but it is not something that has been attempted in Great Falls yet. Affordable housing is always a challenge, and tiny homes is one way nationwide that people have addressed with affordability.

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

Motion carried 5-0.

14. RESOLUTION 10495 TO ESTABLISH GOLF FEES FOR EAGLE FALLS GOLF CLUB AND ANACONDA HILLS GOLF COURSE.

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

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

Park and Recreation Director Steve Herrig reported that the requested action is that the Commission conduct a public hearing and adopt Resolution 10495, which would repeal Resolution 10443, and set new fees for the golf courses for the 2023 golf season. The Commission heard from Tom Bugby of CourseCo and Jeff Stanger, local course manager, earlier at the Work Session about the increased costs of pesticides, herbicides, grass seed, and utility rates.

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 10495.

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

Commissioner Hinebauch moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10495 to establish golf fees for Eagle Falls Golf Club and Anaconda Hills Golf Course.

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

Mayor Kelly commented that hiring an outside manager to run the courses has been a fiscally great partnership, and the quality of what that real estate provides is significantly better.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

15. **RESOLUTION 10500, SUBMITTING TO THE ELECTORS THE QUESTIONS OF PERMANENTLY INCREASING THE MILL LEVIES OF THE CITY TO PAY COSTS OF PUBLIC SAFETY SERVICES, INCLUDING OPERATION, MAINTENANCE AND CERTAIN CAPITAL COSTS OF THE POLICE DEPARTMENT, FIRE DEPARTMENT, CITY ATTORNEY AND MUNICIPAL COURT SERVICES AND RELATED PUBLIC SAFETY EXPENSES.**

Deputy City Manager Chuck Anderson reported that, if adopted, Resolution 10500 would call and direct that a special City election be held on November 7, 2023. The question that will be proposed to the registered voters of the City is as follows:

Shall the City Commission of the City of Great Falls, Montana (the "City") be authorized to levy mills for the purpose of paying costs of public safety services, including operations, maintenance and certain capital costs of the police department, fire department, city attorney and municipal court services and related public safety expenses?

If this mill levy proposition is passed, the City will be authorized to levy permanently up to 103.75 mills per year, to raise approximately \$10,717,305.

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

In April 2021, the City Commission established the Great Falls Crime Task Force through Resolution 10395. The primary purpose of the Great Falls Crime Task Force (the "Task Force"), was to study, review, evaluate, and make recommendations to the City Commission, City Manager, and general public on strategies to address crime. The Crime Task Force provided numerous recommendations that were further summarized into action items.

Upon further discussion with the City Commission, there was general recognition that the City's broader public safety response posture has been inadequate, and is unable to service current and future needs of a growing community. The Commission concluded that the General Fund, capped by a statewide property tax cap, would never be able to sufficiently meet the service level desired by taxpayers and fund the broad continuum of public safety needs across fire, police, court, and legal departments.

Multiple Work Sessions were conducted in 2022 and the beginning of 2023 with Departments individually presenting their public safety needs based on the findings and recommendations from the Crime Task Force and the City Commission.

During the Work Session on January 3, 2023, it was the consensus of the Commission to focus on using \$12 million for the operational needs for legal, court, fire and police and have a portion identified for the capital needs.

The proposed ballot language was discussed during the February 7, 2023 meeting and the Commission suggested minor edits to the language. One proposed change to the ballot language was to add two additional School Resource Officers to the levy request.

The City was unsuccessful in a Public Safety Levy request in 2009 and has been operating under static budgets while the footprint of the community continues to grow. The last voter approved safety request was in the late 1960's when voters approved a General Obligation Bond for the construction of the four current fire stations and a fire training center.

If approved, the fiscal impact will be based on the current taxable value of the City. Property taxes on a home with an assessed market value for tax purposes of \$100,000 would increase by \$140.06 per year and property taxes on a home with an assessed market value for tax purposes of \$200,000 would increase by \$280.11 per year.

Commissioner Hinebauch moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10500.

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

Jeni Dodd, City resident, commented she is not taking a position. She reminded the Commission that ARPA and CARES funds could be used for City capital needs. She suggested that some of the ARPA funds allocated to local organizations could have been used for this purpose instead.

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

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

Commissioner Wolff commented that, prior to her election as a City Commissioner, she attended a majority of the Crime Task Force meetings. Since being elected, she has attended public forums on safety that included police, fire, drug enforcement agencies and other safety experts on substance abuse issues, visited the Pre-Release Center, spent 12-hours with the Station 3 Fire crew, did a ride along shift with a police officer, and met with Neighborhood Councils to learn more about the what, why, how, and who. She saw firsthand the Fire Department is spread too thin too often to respond according to ISO standards timeframe. She saw a Fire Department that spent a lot of time responding to medical and behavioral issues of people in our community. She saw the paramedic requirements of the Fire Department to report the use of drugs that they needed to use to sedate a person, and then go to Station 1 and acquire a new vial for their kit bag.

She was with the police officer who responded to a person who had triggered five 911 calls earlier that day and before the night was over two more calls. She was with the police officer when he took two people to jail that night. She was with the police officer and others and learned about the reporting requirements that each have.

She spent part of a morning in the municipal court and witnessed the heavy caseloads and the personnel required to handle those caseloads.

Having been an educator in higher education all of her previous professional life, she worked directly with Fire, Police and the courts and with the public school systems as they all made decisions to keep their students and employees safe. She does not want Great Falls to be the next location of a mass shooting. Her discussed her colleagues at Umpqua Community College in Roseburg, Oregon, that experienced an active shooter event that took the lives of 10 students and injured eight more.

She concluded that we need our first responders and they need us. The courts need us as well to serve everyone. She has the utmost respect for people who choose public safety and the legal system for their career. She wants the local economy and community to continue to grow. Having enough personnel, training, equipment and vehicles is paramount to the future of Great Falls.

Commissioner Tryon commented that public safety is the number one responsibility of city government. He sees this resolution to put this issue on the ballot, not as a request from this City Commission necessarily. He sees this as a response to what the Great Falls' officers, firefighters, emergency responders, and what our court system personnel are asking for and telling us what they need in order to fulfill their responsibility as public safety personnel. It is Great Falls' public safety personnel telling the public what they need in order to do their job, which is to protect the citizens of this community and to keep us safe.

He has spent a lot of time looking at this issue for two years very closely, and Great Falls is 50 years behind. He is a taxpayer. He is not telling the public what they need to do and neither is anyone else on the Commission. Putting this public safety levy on the ballot is the most important thing that he has done, and that he will vote for, in his tenure as a City Commissioner. The Commission is putting this issue on the ballot for the residents to decide what kind of public safety they want in the community.

Commissioner McKenney pointed out that the last time a public safety levy was passed in this community was 1969. To put that in perspective, Neil Armstrong was the first person to walk on the

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

moon. The Vietnam War was still active. Richard Nixon was President and the Beatles had their last public performance on the roof of Apple Records. It was a long time ago and we have paid a price as a community. Our public safety personnel are now operating skeleton crews. There was a time our Fire Department had over 100 members, and now around 70. This was not an efficiency move; it was due a lack of funding.

The police are also woefully understaffed. Many times patrol officers are on the streets with minimal backup. It is unsafe for both the police and our community. It is accurate to say, due to lack of funding or due to lack of action, our community has defunded public safety. The can has been kicked down the road for a multiple of reasons. Great Falls' economy has mostly straight lined for 40 years. It is no longer straight lining.

Before the Commission is a resolution to ask voters to support proper funding of public safety. The question for the voters to decide is to fund or defund.

In response to Ms. Dodd's comments about ARPA and CARES funds, Mayor Kelly noted that there has been ARPA and CARES money spent for Public Works, Fire Department, and capital needs that traditionally would be handled by a mill levy or an increase in fees. He is in support of giving the community of Great falls an opportunity to make this decision.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

16. PROPOSAL FOR A STRATEGIC INFORMATIONAL PROCESS AND COMMUNITY EDUCATION EFFORT FOR THE GREAT FALLS PUBLIC SAFETY LEVY.

Deputy City Manager Chuck Anderson reported that, with the passage of Resolution 10500, the Commission and the City have an opportunity to help the community understand the City's public safety needs. As mentioned in the last agenda report, the Commission established a Great Falls Crime Task Force in April 2021. The purpose of the Crime Task Force was to study, review, evaluate, and make recommendations to the City Commission. As the discussions of a possibility of a public safety levy matured, during a work session on July 19, 2022, a consensus of the Commission recommended that staff find a professional strategist to assist the City with communication, education and plans for public safety and the potential levy.

The City issued a Request for Proposals for a Great Falls Public Safety Levy community education program with a primary goal to provide taxpayer information on the public safety levy proposal. The request included a three-tiered budget proposal of \$50,000, \$100,000 and \$150,000. One proposal was received from the Wendt Agency prior to the closing date of January 6, 2023.

During the Commission Work Session on February 21, 2023, the Wendt Agency presented their proposal to the City Commission. Asking the community for \$10.7 million dollars is a huge undertaking, and it is of paramount importance that the City take the opportunity to help educate our

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

community on the public safety needs. Staff recommends that the commission accept the proposal from the Wendt Agency and approve a budget amount for this agreement.

Mayor Kelly moved, seconded by Commissioner Hinebauch, that the City Commission accept a proposal to spend up to \$150,000 from The Wendt Agency for a Strategic and Information Process and the development of Community Education Services for the Great Falls Public Safety Levy, and authorize the City Manager to execute a Professional Services Agreement.

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

With regard to his motion, Mayor Kelly commented that this is an unusual opportunity for the City to spend dollars on behalf of educating the community. Even though everyone in this room spends a lot of time thinking about these issues, there are many people in our community who are unaware of what the Commission or City are doing. This is a request that has been long delayed and the Commission needs to have an opportunity to put that message out. The Commission is also sensitive to the fact that, even though spending general fund money to educate voters is something that is done throughout the State of Montana, it is something the Commission doesn't do without concern and to make sure there is value in it.

He explained that the way that he made this motion was a proposal to spend an amount up to \$150,000 because there have been some community groups who have expressed interest in contributing to this educational campaign in some way. He wants to make sure that there is a way available for them to supplement or complement the funding that the Commission is willing to commit to tonight.

Commissioner Wolff recognized City Attorney David Dennis for spending time learning and understanding this issue, and for sending her a lot of information. She certainly supports this motion because many of the people in this community just do not have the opportunities that the Commission has to learn firsthand what the needs in the community are. She wants to educate everyone in the community what those needs really are.

Commissioner Hinebauch commented that this is one of the biggest investments in this City for 50 years. He thinks there needs to be a good job of educating the voters on what the public safety money is for and will be spent on. To be very clear, this is an educational piece. It is not an advocacy piece. So this will be purely informational put out to the voters so they understand what their money is going for and where it's going to be spent.

Commissioner Tryon commented that there is no one who wants to see the public safety infrastructure funded the way it should be more than him. However, from the beginning, he was uncomfortable with the proposal to spend taxpayer money on an informational effort. He would prefer that the City used its own communication apparatus, private efforts and a grass roots effort to get the information out about this levy without spending up to \$150,000 of taxpayer money. The Wendt Agency made a very good proposal, are professional, and would do an excellent job in the informational and communications aspect of it. This is just an issue that he cannot justify spending up to \$150,000 for this effort at this time.

Commissioner McKenney commented that he appreciates the RFP response from the Went Agency.

JOURNAL OF COMMISSION PROCEEDINGS

March 7, 2023

Other communities have funded education messaging for levies, although it is not common. When it is used, there appears to be legal challenges. Used properly it is legal. He expressed concern about educating, not advocating. One wrong move and the City could have a legal problem and then the legal challenge grabs the headlines rather than the question to the voters. He also expressed concern about setting a precedent when it comes to other ballot initiatives.

There are those who will actively oppose this issue and there will be those who support the issue. However, those who support it may be silent because they are thinking the City education campaign is enough and that would be a mistake. He suggested there needs to be a community debate. Many people have expressed to him they are willing and able to participate in an education campaign. He likes the idea of the community taking that on better.

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

Motion carried 3-2 (Commissioners McKenney and Tryon dissenting).

CITY COMMISSION

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly responded to Mr. Scheer's comments about transparency and use of ARPA funds. The Commission has been in discussion about ARPA funds for months and months. The projects for Tier 1, 2 and 3 were laid out at work sessions. There has been a lot of discussion on where the Commission is spending that money.

The second point, the Library had intended to blend their election with the school board so that it would be cheaper. Similar to the Park levy, the Library was unable to co-join those types of elections. The Library made the choice to have the special election at their cost. It was not a choice to have it alone for strategic purposes. The only strategy that was involved was that the Commission had indicated that it would prefer not to have two ballot issues on the November election if possible.

The third point is that during Work Sessions and meetings it has never been said that the Library is going to close its doors as in close operations. They will be forced, if the Library levy does not pass, to reduced Library hours significantly. The Library has to be open a prerequisite number of hours to get State funding.

Commissioner Tryon added that KRTV reported specifically that if the levy does not get passed, the Library would have to close its doors. KRTV later corrected its reporting on the issue.

Commissioner Tryon commented that he has spoken to Director McIntyre about the transparency issues with the Drag Queen Story Hour video. She suggested it would be best for her to respond to questions in a public format.

It was the consensus of the Commission to invite Director McIntyre to the next Work Session.

JOURNAL OF COMMISSION PROCEEDINGS
March 7, 2023

18. COMMISSION INITIATIVES.

None.

19. LEGISLATIVE INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Kelly, to adjourn the regular meeting of March 7, 2023, at 8:31 pm.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: March 21, 2023