

JOURNAL OF COMMISSION PROCEEDINGS

January 16, 2024

Regular City Commission Meeting

Mayor Reeves presiding
Commission Chambers Room 206

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Cory Reeves, Joe McKenney, Rick Tryon, and Susan Wolff. Commissioner Shannon Wilson was excused. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Chris Gaub; Planning and Community Development Director Brock Cherry; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig; 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: For transparency, Commissioner McKenney disclosed that he knows the two members being recommended for reappointment to the Board of Adjustment/Appeals and that he was previously on the Board of Directors for the Tavern Association that donated to the Children's Museum. Because there is no personal gain, he would participate and vote on Agenda Items #6 and #12.

Mayor Reeves disclosed that he knows one of the applicants applying for the Regional Airport Authority Board and would be recusing himself from voting on Agenda Item #7.

PROCLAMATIONS

1. Black History Month [February 2024] and National Catholic Schools Week [January 28-February 3, 2024]

There will be a Black Heritage Celebration at the Great Falls Public Library on Thursday, February 8, 2024 at 6:00 p.m.

COMMUNITY INITIATIVES

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM CITY COUNTY HEALTH DEPARTMENT (CCHD).**

City County Health Officer Abigail Hill, provided the following updates:

- The CCHD has approximately 50 employees in Family Health Services, Environmental Health, Admin and Prevention Services. The CCHD works under 15 grants and has 25 programs/services.

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- Family Health Services include Women, Infants and Children Supplemental Nutrition Program (WIC), Home Visiting, Foster Child Health Program and Circle of Security Parenting Classes.
- Prevention Services include Immunizations, HIV Prevention and Case Management, Health Promotion and Wellness, Emergency Preparedness, Communicable Disease and Sexually Transmitted Diseases (STD's) and Cancer Control.
- The Environmental Health Division licenses and inspects food service establishments, as well as permits, inspects monitors, enforces rules, and provides resources for programs regulated by the Department of Environmental Quality (DEQ) such as septic systems and land use.
- Commissioner Shannon Wilson is the new appointee to the Board of Health.
- Currently in January 2024, there are 138 cases of Covid, 53 cases of RSV and 319 cases of Influenza. Respiratory season is from fall to spring and there are more influenza cases this year compared to last year. There were 2,616 cases of Covid last year and approximately 1,200 cases this season.

3.

PETITIONS AND COMMUNICATIONS

Written correspondence was received from **Jimmy Fulton**, City resident, via January 16, 2024 email, commented that limited parking reduces the roadway to one lane and mature trees reduces visibility on the roadway by Pinski Park on 5th Avenue South. He requested that the Commission contact the Public Works Traffic and Engineering Department about the possibility of conducting a study with regard to installing solar powered speed limit signs.

Jeni Dodd, City resident, expressed appreciation to the Great Falls Firefighters for their efforts with regard to working in sub-zero temperatures. She commended the City for having better audio than the County for its Commission Meetings. Ms. Dodd suggested that the City implement a virtual meeting method and participation by phone for public participation again. Ms. Dodd expressed concern that the January 10, 2024 Historic Preservation Advisory Commission (HPAC) Meeting was not properly noticed.

NEIGHBORHOOD COUNCILS

4.

MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

5.

MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

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6. REAPPOINTMENTS/APPOINTMENT TO THE BOARD OF ADJUSTMENT/APPEALS.

Mayor Reeves reported that Christian Stone was appointed to the Board of Adjustment/Appeals on November 17, 2020 for a three-year term and Antoinette Collins was appointed for a partial three-year term on August 17, 2021. Their terms expired on September 30, 2023, but are both eligible and interested in another term. Staff began advertising for citizen interest on the City's website and local media in later August. The City received one application from Michael Gorecki. The Board of Adjustment/Appeals held their meeting on January 4, 2024 and made a motion to recommend reappointment of Ms. Stone and Ms. Collins. The Board also asked that staff review the membership requirements to determine if an alternate position could be created for the Board to address potential quorum issues. The Board stated that Mr. Gorecki would be a great fit and they would consider recommending Mr. Gorecki if this position was created in the future.

Commissioner McKenney moved, seconded by Commissioner Tryon, that the City Commission reappoint Antoinette Collins and Christian Stone to the Board of Adjustment/Appeals for three-year terms through September 30, 2

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

Commissioner Tryon commented that Mr. Gorecki would be a well-qualified candidate for an alternate position. He added that he would like to see an alternate position be created and brought before the Commission.

Planning and Community Development Director Brock Cherry responded that City staff is still reviewing membership requirements to determine if an alternate position could be created. Typically, the Board of Adjustments/Appeals is the most difficult to staff because it meets so infrequently.

City Manager Greg Doyon added that the number of members for the Board of Adjustment/Appeals was reduced because of the difficulty of having a quorum. City staff would review the process and procedures to determine if an alternate position could be created for the Board to address potential quorum issues.

Commissioner Wolff concurred with Commissioner Tryon's comments. She added that having citizens who want to serve on boards is exciting.

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

Motion carried 4-0.

7. APPOINTMENT TO THE REGIONAL AIRPORT AUTHORITY BOARD.

Mayor Reeves reported that on March 7, 2023 the City Commission appointed Terry Thompson to replace Anthony Aretz who was appointed by the County Commission to serve as one of their board representatives as he lives outside the City limits. Ms. Thompson completed the term through December 31, 2023 and is interested in serving her first full three-year term. Todd Timboe was

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appointed to the Board in 2018 and has served two full terms making him ineligible to serve another term. City staff began advertising for citizen interest. The City received applications from Alan Scanlon, Todd “Cameron” Swathwood Jr. and Atreyi Pramanik. The Airport Authority and the Airport Authority Board has decided not to make recommendations on appointing or reappointing Board Members. During the January 2, 2024 meeting, the City Commission reappointed Ms. Thompson for a three-year term through December 31, 2026.

Commissioner McKenney moved, seconded by Commissioner Wolff, that the City Commission appoint Todd “Cameron” Swathwood Jr. to the Great Falls Regional Airport Authority Board for a three-year term through December 31, 2026.

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

Commissioner McKenney commented that all three candidates were well qualified; however, Mr. Swathwood showed professionalism, leadership skills, interest in being involved in the community, had a good background and record of accomplishments. Mr. Swathwood was involved in the Citizens Academy for the Cascade County Sheriff’s Office, Great Falls Police and Fire Departments.

Commissioner Wolff concurred with Commissioner McKenney’s comments. She added that Mr. Swathwood wanted to be involved and support the community in different ways, had youthful energy, a great interest in aviation and a need to keep the airport viable.

Mayor Reeves recused himself from voting on this matter.

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

Motion carried 3-0-1(Mayor Reeves abstaining).

CITY MANAGER

8. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon announced that:

- Members of the New City Church are renting the Mansfield Center for their church services until construction is complete for their new facility.
- Great Falls Fire Rescue (GFFR) was busy with the recent Artic cold snap in Great Falls. From January 12-15, 2024, GFFR responded to 100 calls for service. Of those 100 calls for service, GFFR responded to three working structure fires, one car fire, seven natural gas calls in structures and five calls for breaks to fire sprinkler systems.
- The furnace in the mechanical room at the Great Falls Animal Shelter stopped working this past weekend, which caused the room to freeze and pipes to burst. Heaters were placed in the room until the furnace could be repaired. Operations are back to normal.
- Crews from the Public Works Department were out sanding roads this past weekend. The Utilities Division put in 72 hours working on frozen meters, waterlines, a main waterline

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break and multiple water shut-offs. Water Treatment Plant Operators received several calls about water service. There were also broken sprinkler systems in multiple establishments in the community.

- Human Resources concluded negotiations with the City of Great Falls Public Employees Crafts Council and ratified their Collective Bargaining Agreement. He expressed appreciation to the negotiating teams representing the City and CRAFTS.
- Great Falls Police Department Master Police Officer (MPO) Keith Perkins worked as a General Case Detective and served the City for 34 plus years, retired on December 29, 2023.
- City staff is tracking activities of the legislature including HB41, SB's 548, 511 and 519. Staff is looking at the impacts of a statewide property tax cap and determining solutions. Some of the bills offer a solution that would be beneficial for local control and others would be difficult with the current rate of inflation. Local representatives are working to address tax burden issues and hopefully would rely on a local government perspective.

Mayor Reeves received clarification that negotiations are done for now; however, there would be more to come.

CONSENT AGENDA.

9. Minutes, January 2, 2024, City Commission Meeting.
10. Total Expenditures of \$7,300,012 for the period of December 21, 2023 through January 3, 2024, to include claims over \$25,000, in the amount of \$6,823,152.
11. Contracts List.
12. Set a public hearing for February 6, 2024 for a Lease Agreement with the Children's Museum of Montana for the property located at #22 Railroad Square.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission approve the Consent Agenda as presented.

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

Hearing none, Mayor Reeves called for the vote.

Motion carried 4-0.

PUBLIC HEARINGS

OLD BUSINESS

13. **INDOOR AQUATICS AND RECREATION CENTER OF 1770.0.**

Park and Recreation Director Steve Herrig reported that change orders are not uncommon for projects with such magnitude. Most of the change orders for the Indoor Aquatics and Recreation Center have been alternate driven. The Commission awarded a contract to Swank Construction for

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\$18,349,000 on November 2, 2021, which included the Base Bid of \$17,995,000 and Alternate #19 for \$354,000 for the construction of the Indoor Aquatics and Recreation Center.

Change Order No. 6 includes the following:

1. North Sidewalk Credit	\$ (2,973.60)
2. Alternate #4 Credit Conduits for Training Equipment	\$ (7,526.34)
3. Upgrade Chain Link Fencing	\$ 3,743.27
4. Emergency Eye Wash & Shower	\$ 4,401.33
5. Desert Aire Refrigeration Requirements	\$ 19,797.65
6. Alternate #15 – Flagpole	\$ 12,895.39
7. Add E4 Lighted Ballard	\$ 2,345.26
8. Security Camera Revisions	\$ 20,286.37

Change Order No. 6 would be funded through dollars raised through a formal fundraising campaign and year four projects of the Park Maintenance District No. 1 were pushed back to make sure funds would be available if needed. The Indoor Aquatics and Recreation Center is scheduled to open in May 2024.

Commissioner Wolff moved, seconded by Commissioner McKenney, that the City Commission approve Change Order No. 6 to Swank Enterprises in the amount of \$52,978.33 for the Indoor Aquatics and Recreation Center, and authorize the City Manager to execute the change order documents.

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

Commissioner Tryon received clarification that the cost for the flagpole included installation of a single pole that would hold two flags, concrete pad and lights. Commissioner Tryon reiterated that Change Order No. 6 would be funded through private fundraising.

Referring to the fiscal impact on the Agenda Report, Commissioner McKenney inquired if it should be Change Order No. 3 instead of No. 2 being paid for by fundraising commitments.

Park and Recreation Director Herrig responded that each change order had multiple items within them. The Commission previously approved Change Order No. 2 through 5 and No. 1 was a deduction for a savings from the original awarded contract price.

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

Motion carried 4-0.

NEW BUSINESS

14. NOMINATION OF THE BAATZ BLOCK TO THE NATIONAL REGISTER OF HISTORIC PLACES.

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Planning and Community Development Director Brock Cherry reported that NeighborWorks Great Falls is pursuing federal and state Historic Preservation Tax Credits to rehabilitate the Baatz Block. In order to access the tax credits, the building must be listed on the National Register of Historic Places. The organization had submitted a nomination, which would be considered on January 25, 2024 by the State Preservation Review Board. The State Historic Preservation Office (SHPO) is required to consult with local governments on such nominations, and has requested the opinion of the City Commission. NeighborWorks Great Falls has undertaken rehabilitation of the 1913 Baatz Block at 400 2nd Ave South in order to create permanent supportive housing to serve the homeless population of Great Falls.

Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission support the nomination of the Baatz Block to the National Register of Historic Places.

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

NeighborWorks Executive Director Sherrie Arey commented that rehabilitation of the Baatz Block to create permanent housing would provide a bright future for the individuals who live there.

Commissioner Wolff inquired if placing the Baatz Block on the National Register of Historic Places would affect any future changes that NeighborWorks would want to make, because of the strict guidelines.

NeighborWorks Executive Director Sherrie Arey responded that it would allow NeighborWorks to receive federal and state tax credits, which have different requirements and expectations on how they are used.

There being no further comments, Mayor Reeves asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Reeves called for the vote.

Motion carried 4-0.

ORDINANCES/RESOLUTIONS

CITY COMMISSION

15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

16. COMMISSION INITIATIVES.

Commissioner Tryon commented that the Commission has an obligation and a responsibility to have a comprehensive review and public discussion of the 1993 management agreement with the public Library. The review should be done prior to the budget coming up and the automatic renewal of the management agreement. Commissioner Tryon proposed that a special city commission meeting be scheduled for January 19, 2024 to consider a resolution which would give the Library Board a 90-day notice of the intent of the City to opt out of the management agreement with the

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Library. Commissioner Tryon explained that the proposed meeting would need to be on January 19, 2024 because the 90 day opt out deadline is January 20, 2024. The intention of the initiative is not to strip the 7 mill library funding from the management agreement or make changes to the agreement, but to give everyone, including the Library Board, a 90-day period to review the agreement. With the budget coming up, the Commission needs to look at the available resources, including the 7 mills from the management agreement to fund public safety. The reason for one-year term agreements is because things change, and the City has dire public safety needs. The Commission needs to hear from the Department Heads that are involved in public safety to see what their emerging needs would be in FY25.

Commissioner Wolff commented that she respects what Commissioner Tryon is suggesting because the City does have dire public safety needs; however, she expressed opposition to having a special meeting on January 19, 2024 because she and Commissioner Wilson would not be available. Commissioner Wolff explained that she spent a lot of time with police and fire personnel over the past two years and is extremely concerned about the safety, health and future of those who work in public safety. Citizens chose not to vote for the Public Safety levy and they cannot be faulted for voting the way they wanted to. Commissioner Wolff commented that she is extremely frustrated with the lack of support from businesses and the community during the City's Public Safety levy. She suggested taking the year to consider all options for funding public safety, involving as many people who care to get involved and having it be a community effort.

Mayor Reeves commented that based on the reasons that Commissioner Wolff articulated, he expressed support of Commissioner Tryon's initiative for discussion purposes only.

Commissioner McKenney explained that the citizens chose to vote for the Library levy, not the Public Safety levy, and He would always respect the will of the voters. It is common for the parties involved in an agreement to discuss aspects of the agreement with each other prior to the renewal date. Commissioner McKenney expressed opposition to Commissioner Tryon's initiative; however, he suggested asking the Library Board if they would want to renegotiate the management agreement.

Commissioner Tryon responded that he respected the will of Commissioners' Wolff and McKenney; however, he disagreed with their position. Commissioner Tryon commented that he hopes Commissioners' Wolff and McKenney have some good ideas about how to fund public safety with the upcoming budget, because he is fresh out of ideas. He added that he would not support another levy and ask taxpayers to sacrifice when the City is not willing to make sacrifices. City Departments may need to take some cuts or else inform those who work in public safety that nothing could be done.

Commissioner Wolff requested that City staff work with the Commission on scheduling conversations and discussions over the next year to find a way to fund public safety. She expressed concern about where the City would be as a community if the Legislature stripped the City's ability to hold levy elections.

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ADJOURNMENT

There being no further business to come before the Commission, **Mayor Reeves moved, seconded by Commissioner Tryon, to adjourn the regular meeting of January 16, 2024, at 8:12 p.m.**

Motion carried 4-0.

Mayor Cory Reeves

Deputy City Clerk Darcy Dea

Minutes Approved: February 6, 2024