

JOURNAL OF COMMISSION PROCEEDINGS
August 5, 2025 -- Regular City Commission Meeting
Civic Center Commission Chambers, Room 206 -- Mayor Reeves Presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS:

City Commission members present: Cory Reeves, Joe McKenney, Rick Tryon, Shannon Wilson, and Susan Wolff.

Also present were City Manager Greg Doyon and Deputy City Manager Bryan Lockerby, Planning and Community Development Director Brock Cherry, Finance Director Melissa Kinzler, City Attorney David Dennis, Assistant Chief of Fire Prevention Mike McIntosh, Police Captain Brian Black, and City Clerk Lisa Kunz.

AGENDA APPROVAL:

City Manager Greg Doyon noted that he did not have a City Manager's report for agenda item 5. Mayor Reeves noted that presentations for agenda items 16 and 17 would be combined for a joint public hearing. There were no proposed changes to the agenda by the City Manager or City Commission. The Commission approved the agenda as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS:

None.

MILITARY UPDATES

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM MONTANA AIR NATIONAL GUARD (MANG).

Colonel Scott Smith, Wing Commander of the 120th Airlift Wing, provided the following updates:

- Changes of Command: June - Trent Gibson was appointed due to General Hronick's retirement; September – General Thomas will be taking over after General Dixon's retirement.
- Almost 150 airmen are half-way through their deployments.

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- The National Guard Bureau will conduct a site visit September 15-19, 2025, to start finalizing the plan for the conversion.
- The last C130H model will depart Great Falls in December. MANG will be without airplanes until the J model arrives some time between March and May.
- Col. Cinq-Mars, Maintenance Group Commander, was in Georgia about a month ago and was able to see their first C130's being built on the assembly line.
- Two pilots and two load masters are back from training.
- Construction started on the fuel facility.
- HB 5 was signed by the governor. MANG received the funding to buy the property in Power, MT for a drop zone.
- Also moving forward is the unimproved landing zone project for training purposes.
- MANG and Malmstrom's Red Horse Squadron have \$1.2 - \$1.4 billion worth of upcoming construction projects over the next 10-years.

PETITIONS AND COMMUNICATIONS

2. **John Hubbard**, City resident, suggested that Great Falls Fire Rescue personnel train on condemned buildings rather than building a new Training Center. He finds it ridiculous the way government is treating the people who are on social security and who built this country.

NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

BOARDS AND COMMISSIONS

4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

CITY MANAGER

5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

CONSENT AGENDA

6. Minutes, July 15, 2025, City Commission Meeting.
7. Minutes, July 29, 2025, Special City Commission Meeting.

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8. Total Expenditures of \$5,573,633 for the period of June 26, 2025, through July 9, 2025, to include claims over \$25,000, in the amount of \$4,832,100.
9. Contracts List.
10. Approve a Professional Services Agreement in the amount of \$264,097 for the Downtown Storm Drainage Improvements Phase 3, and \$323,767 for Phase 4 to Great West Engineering Inc. and authorize the City Manager to execute the agreement documents. **OF 1779.2**
11. Approve a Professional Services Agreement for the Wastewater Treatment Plant Access Gate in the amount not to exceed \$127,870 to Advanced Engineering and Environmental Services, Inc., and authorize the City Manager to execute the agreement documents.
OF 1846.0
12. Approve a final payment of \$139,765.95 for the 33rd Street Water Storage Tank. This is comprised of \$138,368.29 to DN Tanks and \$1,397.66 to the State Miscellaneous Tax Fund and authorize the City Manager to execute the necessary documents. **OF 1794.1**
13. Award a contract in the amount of \$212,720 to Montana Materials & Construction, for the Giant Springs Road Slide Repair, and authorize the City Manager to execute the necessary documents. **OF 1789.0**
14. Approve a CDBG Funding Agreement in the amount of \$24,000 to the Montana Legal Services Association for the Montana Housing Justice CDBG Project which will provide support to LMI individuals experiencing housing-related legal problems.
15. Approve a CDBG Funding Agreement in the amount of \$111,077 to the Spark! Children's Museum of Montana for the "Spark Inclusion" CDBG Project for ADA accessibility at their new location, 201 2nd Avenue S.

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

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

Written public comment was submitted from **Shyla Patera**, North Central Independent Living Services, Inc. in support of Agenda Items 14 and 15.

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

Mayor Reeves inquired if Item 11 had to do with BNSF.

City Manager Greg Doyon responded that the City has recommended interim measures to BNSF that will be implemented once the City gets some feedback. The City has to continue looking at what the gate design will look like.

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

Motion carried 5-0.

PUBLIC HEARINGS

16. RESOLUTION 10580, AN INTENT TO INCREASE PROPERTY TAX.

17. RESOLUTION 10579, ANNUAL BUDGET RESOLUTION.

Mayor Reeves declared the combined public hearing open and asked for presentation of the agenda reports.

Finance Director Melissa Kinzler reviewed PowerPoint slides for agenda items 16 and 17 (available in the City Clerk's Office) and discussed Commission goals and priorities; national, state and city trends; a general fund recap; city-wide revenues; proposed assessment and utility rate adjustments; city-wide expenses; capital outlay; employee summary; and the upcoming budget process.

The estimated newly taxable property in the general fund for fiscal year 2026 is \$330,000. If the Commission approves the inflationary factor the amount would be \$448,822. The fiscal impact of the proposed increase for inflation for a residential home with a taxable market value of \$100,000 would be approximately \$2.58, \$7.74 for a \$300,000 home and \$17.80 for a \$600,000 home for the year. This is the first year using the tiered tax rate and is the first step in the process of all the legislative changes.

The permissive medical levy for fiscal year 2026 is not being increased but will be assessed the same amount as last year in the amount of \$4.6 million dollars. The entitlement share increase this year will be \$87,666. The total revenue increases being projected for the general fund is \$936,488. There are a lot of uncertainties right now in the general fund and the actual overall legislative impacts that are going to happen.

Fund balance will be used for the general fund, and staff is projecting a 23.3% fund balance at the end of fiscal year 2026 to be able to take into fiscal year 2027.

The total citywide revenues in the fiscal year 2026 budget are \$144 million, and proposed expenses are \$176 million. The majority of that increase is from the 11.59% capital outlay increase in the water, sewer and storm drain fund. Personal services is going up 3.54% due to collective bargaining increases that were negotiated. Health insurance is moving from an 85/15 split to an 80/20 split with a 5% increase. The general fund debt service is increasing \$238,000 for the Fire Training Center.

Mayor Reeves asked if the Commissioners had any questions of Director Kinzler.

Mayor Reeves received clarification that, if Resolution 10580 is adopted, the approximate property tax increase on a \$300,000 house is \$7.74 per year, and about \$17 on a \$600,000 per year, not per month.

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Mayor Reeves asked if there were any comments from the public in support of Resolution 10580.

Written public comments were submitted by **Shyla Patera**, North Central Independent Living Services, Inc. (NCILS), pertaining to Agenda Items 16 and 17. NCILS recognizes that property taxes are important, yet difficult for many. NCILS hopes that the proposed increase will be both equitable and fair to low- and middle-income property owners, while giving the City of Great Falls an opportunity to provide community services which enhance the live-ability of Great Falls as well as accessibility and affordability in the community.

Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10580.

John Hubbard, City resident, suggested contacting Governor Gianforte who is sitting on \$2.5 billion dollars of tax money rather than raising taxes. He opined that the City wastes money and should make do with what it has rather than buying new. He also commented that all the water in the United States is polluted and suggested that the City better take care of Giant Springs.

There being no one further to address the Commission on Resolution 10580, Mayor Reeves asked if there were any comments from the public in support of or opposition to Resolution 10579. Hearing none, Mayor Reeves closed the public hearing and asked the will of the Commission.

Commissioner Wolff moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10580 – Intent to Increase Property Tax.

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

Commissioner McKenney commented that, for the last 26 years, the state legislature has set up local governments up to fail. That is why the City is having the challenge of funding public safety, parks, recreation, and administration.

Commissioner Wolff thanked Director Kinzler and Director Gaub for the Water Treatment Plant move to an on-site chlorination process that will save money down the road.

Commissioner Wilson thanked fiscally responsible staff for putting together a great budget package with such a small tax increase for the entire year.

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

Motion carried 5-0.

Mayor Reeves asked the will of the Commission with regard to Resolution 10579.

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Commissioner Wilson moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10579 – Annual Budget Resolution.

Mayor Reeves asked if there was any further discussion amongst the Commissioners.

Commissioner Tryon commented that the City Manager, Finance Staff and Department Heads are very fiscally responsible people. He has heard this from folks in other cities that Great Falls is one of the most fiscally conservative and fiscally responsible cities in Montana. Anytime the Commission has to raise taxes, even if it is just a little bit, it is not easy to do. The Commission members all have to pay the same tax. The cost to the City of doing business has gone up, and especially over the past two or three years. When the costs go up, everybody has to pitch in a little bit more.

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

Motion carried 5-0.

18. RESOLUTION 10592, CONDITIONAL USE PERMIT (CUP) TO ALLOW “MARIJUANA CULTIVATION” WITHIN THE I-1 LIGHT INDUSTRIAL ZONINE DISTRICT UPON THE PROPERTY ADDRESSED AS 748 CRESCENT CIRCLE.

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

Planning and Community Development Director Brock Cherry reported that, while marijuana-related land use can be a sensitive and sometimes divisive issue, his role tonight is to focus strictly on the land use aspects of this request. The Planning and Community Development Department has reviewed this application for zoning compliance, Growth Policy alignment, and mitigation of potential impacts.

The applicant, Bobby Long of Flower, is requesting a Conditional Use Permit (CUP) to allow marijuana cultivation at 748 Crescent Circle, a site zoned I-1 Light Industrial. While retail is permitted by right, cultivation requires a CUP under Ordinance 3249, adopted by the City Commission in 2022 to regulate marijuana land use in Great Falls.

The proposed project is a fully enclosed, secure indoor facility that will include:

- Indoor cultivation
- Limited, state-licensed retail operations
- Packaging and administrative functions

No outdoor cultivation operations will be allowed, and design measures address odor, visibility, and access concerns in accordance with City Code.

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Mr. Long is the founder and CEO of Flower, a Montana-based cannabis company. He describes the facility as compliance-focused, professionally operated, and workforce-driven, with 10–15 trained employees expected on-site during business hours.

Operational Mitigations (Key Concerns), include:

- Odor: Managed through sealed grow rooms and a carbon-filtered HVAC system.
- Security: Includes monitored video surveillance, controlled access, and alarm systems, which will both meet and exceed state requirements.
- Visibility: No signage referencing cultivation, no exterior venting, or visible waste.

The CUP application was reviewed by City Planning, Engineering, Fire, and Building departments. All departments have deemed this request suitable as long as the conditions provided by staff are met.

Neighborhood Council #2 voted 4–1 to “not oppose” the application, noting general concern about the number of cannabis businesses in the area. This was also brought up at the work session. He noted that, by the nature of how a cannabis business is currently regulated in Great Falls, it is only allowed in industrial areas. Therefore, you will see a strong concentration in those areas of the community which have that zoning, which we are seeing in Neighborhood Council #2.

The Zoning Commission recommended approval by a 4–1 vote. One dissenting commissioner cited federal law concerns, which were addressed by the City Attorney, clarifying that those concerns have been adjudicated and are not legally defensible grounds for denial.

The request meets all seven CUP criteria, including:

- Compatibility with surrounding I-1 light industrial uses
- No immediate injury to nearby properties
- Adequate infrastructure, access, and traffic handling
- Alignment with the City’s Growth Policy, including infill and reuse of underutilized sites

In closing, while marijuana businesses can evoke varying perspectives, this application has been evaluated based on land use planning standards and local regulations.

Bobby Long, Applicant, 380 Cumberland Street, Lolo, MT, commented that he is the founder and owner of Flower, a Montana based company that he started over a decade ago with his wife. Flower has grown from a small local business into a vertically integrated operation, handling everything in house, from cultivation to lab extraction to packaging and retail sales at two retail locations. Tonight, he is asking for Commission approval to convert a warehouse at 748 Crescent Circle, currently zoned for light industrial use, into a cultivation and packaging facility. He is already licensed to operate a retail dispensary which will open this September. He could hire a few workers, run the store, and funnel the

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profits back into Missoula County. But that is not his vision. His vision is to build something long-term here, something that benefits this community.

He is not here tonight to change anyone's mind about cannabis. He is not applying for a rezone or a variance. He is asking for a conditional use permit for cultivation which is already allowed under the current zoning code. This falls directly within the rules that this Commission and the City of Great Falls have established. He has done the work to meet these rules, and he is committed to following them. He is also fully aware that he is the first person to apply for this permit in Great Falls. He has already invested millions in this market and purchased the building outright.

This project represents a major commitment to this community and to his family's future. This isn't just about him. It's about responsible growth and the tough decisions that the Commission has to make every day to balance development, economic development, and community values. It is about establishing and enforcing rules that create a fair playing field for entrepreneurs who want to take risks, invest in this community, and build something sustainable and valuable for the city.

This project checks every box. Zoning compatibility, infrastructure readiness, minimal community impact, and alignment with long term city goals. There are no infrastructure upgrades required, and the operation is fully contained with zero impact from the street. He has gone to great lengths to ensure that this project not only checks the required boxes, but also the ones that are implied. This facility is a prime example of how an underutilized area can be revitalized without burdening city services. Parking, traffic, and community impact have all been carefully considered. And they had to be, because to make this level of investment here in the community, he had to make sure to make this decision as easy as possible for the Commission.

The most common and valid concern and one that was raised by the Planning Board is the smell. He clarified something that the Planning Board said about carbon filtration. That is actually not a part of his plan. Carbon filtration is basically taking air and filtering it to take the smell out. It is a way that people in his industry put band aids on a problem that don't actually fix it at its root source. Carbon actually expires. Those things need to be replaced. And what it actually implies is that air is actually moving to and from the outside and is being scrubbed of the smell. That doesn't really work. There's only one way to do this, and that is designing a facility with sealed HVAC systems and carbon dioxide generation to ensure that no smell escapes. It is the most expensive part of this project, but it is crucial for operational integrity and community consideration. If smell can escape, contaminants can get in. That is a risk he can't afford to take. Investing three quarters of a million dollars on this alone is not optional.

Montana's cannabis industry is currently under a two-year license freeze. This means that what he is asking for tonight isn't the opening of a floodgate. It is the opportunity to set the standard to show how cannabis can integrate into an industrial corridor professionally and responsibly. That is the standard which any future applicant will be measured against. What he is asking for is a fair chance to build a project that will bring long-term benefits to this

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city. This isn't just a cannabis facility. It is a job creator, a local investment, and part of a larger plan to grow his operations here. If he is approved tonight, he can expand retail into other markets, bringing more manufacturing and jobs to Great Falls. This project is Phase 2 of a larger plan. The money flows here. The investment happens here. The jobs happen here.

In closing, he highlighted that this decision starts or ends with the Commission tonight. In order to stand here before the Commission, he had to put the horse before the cart. He had to take massive risks because someone had to have the courage to be the first one and stand before the Commission already invested and leveraged and ask permission.

The phases of this project that he hopes to accomplish are all centered around this foundational part of the plan. He knows what it is like to be in a community and be a part of a community. He has done that in Missoula for the last 15 years. His business has won best of nine out of the last 10 years.

Mr. Long concluded that he is humbly asking the Commission to accept his application and allow him to begin his project.

Mayor Reeves asked if the Commissioners had any questions of the applicant or Director Cherry.

Hearing none, Mayor Reeves asked if there were any comments from the public in support of Resolution 10592.

Hearing none, Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10592.

Ron Paulick, City resident, read from a prepared statement that he is not opposed to recreational use of marijuana. The citizens of Great Falls voted to allow its use, and he respects their decision. He realizes that Light Industrial 1 and 2 zoning codes are designated for various marijuana businesses. However, the ultimate decision to allow or not allow these businesses is in the Commission's trusted hands.

Mr. Paulick commented that he is totally opposed to allowing this CUP to move forward citing no cities can regulate marijuana potency, only zoning requirements. This state control is unacceptable, and he suggested the Commission demand that local legislators correct this flaw. Additionally, public safety personnel are underfunded and understaffed, and likely municipal courts as well. He urged the Commission to correct these flaws before loading City departments with more work. He also noted that the City Health Department and mental health and substance abuse businesses are strapped by other drug and health issues that it becomes uncalled for to allow marijuana cultivation and dispensaries to increase product use and harms in Great Falls.

Mr. Paulick referred to The Missoula Current News 6/6/2025 article "Montana marijuana industry shares concerns over testing" discussing Montana currently has limited marijuana potency testing labs, with only one lab actively conducting necessary testing

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for marijuana products. Allowing more marijuana businesses doesn't seem like the right thing to do. It simply exasperates the problem.

There being no one further to address the Commission, Mayor Reeves asked if Applicant Long wanted to respond to any public comments.

Applicant Long clarified that there is actually a bit of a bottleneck in testing right now. But that does not mean that products don't get tested. That just means instead of it taking four days, it takes 14 days to be able to get those test results back.

In general, the public doesn't realize the level of compliance that the Cannabis Control Division is putting on this industry. In his experience, this is the most regulated industry in Montana. He has no choice but to run a tight ship and to adapt to changes in laws. He has employees that just deal with the compliance component.

Any cannabis business that operates within this state is very tightly regulated. There is no product that gets to the shelf that is not tested. The businesses just bear the brunt of longer wait times.

Mayor Reeves closed the public hearing and asked the will of the Commission.

Commissioner Wilson moved, seconded by Mayor Reeves, that the City Commission approve Resolution 10592 subject to the Conditions of Approval being fulfilled by the applicant.

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

Mayor Reeves commented that he believes the City went down this path years before he was in office and it ended up in district court. The Commission must adopt alternative findings to support the decision to deny the CUP.

City Attorney David Dennis responded that the Commission certainly has legal standing to consider the criteria that are laid out for approval or disapproval of a conditional use permit. Any one of the Commission members could look at those criteria and maybe have concerns or disagree with the conclusions of staff.

The issue that was raised previously was the question of whether marijuana sales, marijuana use, and other marijuana activities was legal in the state of Montana because it was prohibited federally. There are several federal court opinions that set forth that a state may make marijuana activities legal and not violate federal preemption. There is also a U.S. Supreme Court opinion that held that the federal government may not require states to enforce federal laws. In a circumstance like this, the state of Montana is allowed to legalize marijuana, and the City Commission is allowed to approve or disapprove marijuana businesses based on the conditions that are laid out in the Official Code of the City of Great Falls.

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Commissioner Tryon thanked Mr. Long for his professional, respectful presentation. He then raised concerns about the box he feels the City Commission is put in. Based on the presentation and staff report, it appears the Commission is required to approve the CUP unless it can present specific findings of fact to justify denial. He expressed concern that if he and two other Commissioners were inclined to vote against the CUP, they would not have sufficient legal or procedural basis to do so without such findings.

Commissioner Tryon noted that he could dispute basis of decision #1 in that recreational marijuana wasn't made legal in the state for several years after the 2013 Growth Policy was adopted. He could also produce studies to dispute #2 that the establishment, maintenance or operation of the zoning and conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.

Because the Commission doesn't have alternative findings of fact, the Commission doesn't have the opportunity to dispute that and he believes the Commission is forced to vote "yes."

He would like to make a motion to table this issue until September 2, 2025. Between now and September 2, the Commission would have the opportunity to ask staff to determine whether or not there is a basis to provide facts that are adequate to support a "no" vote.

Mayor Reeves respectfully disagreed, stating that those findings of fact are what staff provided the Commission. Had there been alternatives, they would have been provided to the Commission in the packet already. He would like the Commission to move forward on the motion.

Commissioner McKenney called point of order, stating that in order to be considered there would need to be a second to Commissioner Tryon's suggested motion.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission table this issue to a date certain, September 2, 2025, to provide an opportunity for staff to provide alternative findings of fact to support the basis of decision.

Commissioner Tryon asked staff to address his concerns that whenever a CUP comes before the Commission, they have always been in the position of voting "yes" or coming up with findings of fact as a basis to vote "no."

City Attorney Dennis responded that the agenda report suggests that, if the Commission is not going to approve the CUP, it has to come up with different findings of fact. He recognized that coming up with well-crafted findings of fact on the fly would be a near impossibility. He suggested a couple of ways the Commission could address that by (1) having a Commissioner walk through each finding of fact and outline why they disagree and take a vote on whether to approve or not approve. If the vote is not to approve, ask staff to draft findings of fact consistent with the decision; or (2) make a motion to continue the matter when a Commissioner is seeking apparently additional evidence or additional time to review the evidence that has been presented and take it up at a later date.

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Mayor Reeves noted that he hears Commissioner Tryon, but he believes that the applicant has met all the requirements. The Neighborhood Council has spoken, and the Zoning Commission has approved the application. He doesn't think Commission members can assert their personal feelings.

Commissioner Tryon commented that he is not inserting his personal feelings about marijuana. He is saying it is not appropriate to vote on a CUP and have no option to vote "no."

Commissioner Wilson noted she has been torn about CUP permits, particularly with housing projects. She understands what Commissioner Tryon is saying. She doesn't know Mr. Long personally but is aware of his reputation in this industry in the state and his responsible conducting of his business. The City is lucky to have an applicant like him. However, she is not opposed to waiting for a little bit to get all the questions answered. She would support Commissioner Tryon's motion.

Commissioner McKenney commented he was not on the same page as Commissioner Tryon. All of the information was available when the application went through the Neighborhood Council and the Zoning Commission before it came to the Commission on Thursday. He has done his research, understands what is before the Commission tonight and is ready to make a decision without delay.

Mayor Reeves had the City Clerk reiterate the motion on the floor – that the City Commission table this issue to a date certain, September 2, 2025, to provide an opportunity for staff to provide alternative findings of fact to support the basis of decision.

Mayor Reeves called for the vote on the motion to table.

Motion failed 2-3 (Mayor Reeves and Commissioners McKenney and Wilson dissenting).

Mayor Reeves had the City Clerk reiterate the original motion - that the City Commission approve Resolution 10592 subject to the Conditions of Approval being fulfilled by the applicant.

Mayor Reeves asked if there was any further discussion amongst the Commissioners.

Commissioner McKenney inquired why a CUP was required when marijuana was already approved in industrial zoning districts.

Director Cherry responded that the conditional use permit is an acknowledgement that there are certain uses that may have a certain intensity and conditions of approval may be needed in order to mitigate harm that use may have on surrounding areas.

Staff utilized the conditional use permit process to address additional conditions of approval that should be recommended in order to proceed this forward. Not only did staff

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do this, but the applicant agreed. When drafting these findings, staff does so in a very unbiased manner.

Given the framework of approval for this business that was established by it being a CUP process, the fear from staff is that it would take significant staff and legal time to see what alternative findings would look like. Because, during the process of staff doing due diligence with the applicant, staff has made additional requirements that the applicant has agreed to, and a recommendation of approval was based solely on the land use and the applicant has complied with those requests. Staff is here to support the governing body during the decision-making process. He reassured the Commission that staff has utilized the process approved by this body for this use in industrial zones with an approved conditional use permit. Staff took those standards and those opportunities afforded by them to make recommendations and even added more conditions during the process.

Commissioner McKenney received clarification that all future cultivation businesses would need a CUP. Marijuana cultivation as a land use is only allowed in industrial areas with an approved Conditional Use Permit.

Commissioner Tryon commented that he is going to vote “no,” not based on the presentation or the good work of staff, but because he doesn't like making a vote that he feels he is being constrained to make. He reiterated his arguments that different findings of fact could support the basis of decision for Items 1 through 3.

He appreciated Mr. Long's presentation. His comments are not about Mr. Long personally or about his business. His concern is the process and, to him, is not right. He wants to make sure it is fixed in the future so that if another CUP comes before the Commission, that the Commission can at least look at the possibility of alternative findings of fact that could be considered so that Commission members could have a basis to vote no if they wanted to.

Commissioner Wolff thanked the applicant for the work he has done and for meeting the additional requirements. She is voting “no” because she knows that marijuana can lead to use of other drugs and, even though the citizens voted for marijuana and it is legal, she cannot support that knowing the burdens it is going to put on the Police and EMS systems.

Commissioner Wilson commented that she doesn't see a reason to say no to somebody who has a responsible proposal and is meeting the guidelines and laws.

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

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

19. RESOLUTION 10596, REFERRING ORDINANCE 3278, AN ORDINANCE AMENDING TITLE 9, CHAPTER 9, SECTION 030, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS TO RESTRICT PERMISSIBLE FIREWORKS FOR SALE OR DISCHARGE, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 4, 2025.

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

City Attorney David Dennis reported that fireworks have long been a topic of discussion and concern in Great Falls with strong opinions expressed on both sides of the issue over the course of several decades. In recent years this issue has drawn renewed attention from residents and stakeholders. The City Commission has received significant input from community members regarding the sale and use of fireworks within the incorporated city limits. Many residents have voiced support for restricting these types of fireworks, citing concerns related to public safety, fire hazards, noise disturbances, and negative impacts on Veterans, pets and other vulnerable populations. These individuals urged the City to adopt stricter local regulations beyond those permitted under State law to address these concerns. Conversely, the City Commission has also received opposition from community members who wished to preserve the ability to sell, purchase, or use fireworks as currently allowed under State law. These residents emphasize personal freedom, traditional celebration, and economic considerations.

The City Commission has the authority to refer policy questions to the city electorate by ballot issue and has indicated to staff that it would like to place the issue on the November 4, 2025, general election ballot.

Under Montana law, the Commission may refer a proposed amendment to a City ordinance to a vote of the people. Resolution 10596 will officially refer the question to the electors on the November ballot. The ballot measure would amend § 9.9.030 of the Official Code of the City of Great Falls to limit the type of fireworks allowed to be sold or discharged within the incorporated city limits of Great Falls.

Currently, § 9.9.030 allows all fireworks that are authorized by state law. If the amendment passes by a vote of the electorate, the permissible fireworks allowed in the City of Great Falls under § 9.9.030 would be those fireworks allowed under state law, except that fireworks designed to leave the ground and fireworks designed to explode upon activation would be prohibited. These restrictions would not apply to fireworks involved in a City approved and City permitted public display.

In conjunction with this Resolution and ballot question, City staff is proposing Ordinance 3278 be presented to the electors for decision. Ordinance 3278 will only be incorporated into the Official Code of the City of Great Falls upon a majority “yes” vote to the ballot question.

The fiscal impact of adding the question to the ballot for the November 4, 2025, general election is \$88.

Mayor Reeves asked if the Commissioners had any questions of City Attorney Dennis.

Hearing none, Mayor Reeves asked if there were any comments from the public in support of Resolution 10596.

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Heather Rohlff, City resident, expressed support for Resolution 10596 and the proposed ordinance language being presented to voters in November 2025. She cited multiple reasons for her position, emphasizing the negative impacts of personal fireworks use in city limits. She shared personal experiences, noting that she must medicate her dogs during fireworks season and often feels forced to leave the City in order to ensure her animals are safe and away from the disturbing loudness. She has had to resort to getting them all a thunder shirt. Ms. Rohlff pointed out that animals, like people, can suffer from PTSD-like symptoms and heightened fear in response to fireworks activity. Dogs can hear more than twice as many frequencies and hear sounds four times further than a human can. Additional concerns included the harmful effects on individuals living with PTSD and other disorders/illnesses, the risk of property damage, and the significant amount of trash left behind. She also highlighted the ongoing issue of fireworks being set off at all hours, making it nearly impossible for residents to find relief from the noise.

Ms. Rohlff advocated for fireworks to be limited to organized events, such as ball games or the City's fireworks display. She concluded that fireworks laws are frequently ignored, placing an unnecessary burden on law enforcement who have more important tasks/calls. She noted that other Montana communities have prohibited fireworks within city limits.

John Hubbard, City resident, commented that he used to love fireworks, but people are abusing them and are irresponsible, citing the fire in Gibson Flats and the lady that lost her life over fireworks this year. He doesn't get to watch the City display because he stays home every 4th of July just to make sure his property does not burn down.

Sunday Rossberg, City resident, spoke in support of limiting the sale of fireworks. She shared a deeply personal and tragic experience. On July 5, she lost both of her rescued dogs—Bella, a Cane Corso, and Lulu, a three-legged dog. Bella had no history of aggression. She was assessed by a vet, completed two training courses, came to work with her, and was gentle with her paralegal's daughter at the office.

Knowing fireworks can be stressful, she planned ahead. But when she got home that evening, the smoke and explosions in her neighborhood were overwhelming. The noise triggered Bella, who tragically attacked Lulu. She had to put Lulu down the next day—and out of concern for safety, she made the heartbreaking decision to put Bella down as well.

She now lives with PTSD from witnessing that attack. She doesn't believe the attack would have happened except for the degree of fireworks.

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Anita Hall, City resident, commented that, after the 4th of July, she confronted neighbors who continued setting off illegal fireworks—and was labeled the “bad neighbor” just for calling attention to it. These large, intense fireworks are terrifying no matter the time of day.

There must be limits on their intensity. While she would prefer the five members of the Commission make that decision, she worries a public ballot—like with urban chickens—would get voted down. If that happens, she hopes the decision will be made by the Commission.

Ron Paulick, City resident, commented that this is a good ballot issue.

Written public comments were submitted by **Bianca Hibbert**, in support of banning larger, artillery like fireworks and allowing voters to be a part of that decision. She suggested allowing fireworks for one day – the 4th of July. Although enforcement may be a challenge at first, if people know there will be enforcement and accountability, she thinks they will more likely comply over time.

Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10596.

Belinda Holland, City resident, commented that she respects and supports the idea of putting this issue to a public vote. The community deserves the chance to weigh in, and democracy works best when people have a voice. But she strongly opposes the proposed ban itself. Fireworks are about celebration, freedom, and connection. They are one of the few affordable, meaningful traditions left that don't require a monthly subscription or a bank loan. For a generation that feels like everything is being taken from them, this ban just feels like one more thing slipping away.

She understands the concerns about noise, fire safety, and the impacts on Veterans and individuals with sensory needs. These are real issues, and they require real solutions, not blanket restrictions. There will always be people who break rules, even if fireworks are banned. Punishing law abiding citizens doesn't solve the problem. It just creates new ones.

She suggested limiting sales to July 1 through July 4, ending each night at 10pm, offering quiet zones, sensory friendly alternatives, educational outreach for safety and respect, and enforcing the rules already in place before stripping away more rights from residents who follow them.

Written public comments were submitted by **Brandon Seder**, in opposition to any further ban on fireworks, noting that he feels this is a huge attack on Americans and their freedoms and should be left alone. Alternatively, restrict fireworks to one day - the 4th of July holiday. He suggested the only suitable solution for the fireworks problem is to open overtime shifts for fireworks enforcement.

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

Commissioner Wilson moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10596.

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

Commissioner Wolff commented that she will vote for this to go on the ballot, although her preference would be that the elected Commission members make these decisions.

Commissioner Wilson commented that this is a divisive community issue, and she is in favor of putting it on the ballot for the people to decide.

Commissioner McKenney commented that almost always ballot initiatives are citizen driven; not driven by the folks that should be making the decision. He discussed three points:

Leadership and Responsibility - When he ran for office, he took the time to tell voters who he was and how he thinks. The people of Great Falls elected him to make decisions, not avoid them. We are here for exactly that reason — to use our best judgment, especially when the issues are hard or controversial. If every controversial issue was just sent to the ballot, he asked: Why are we here? Hard decisions are part of the job.

Governing with Integrity - We are a representative government. That means we lead, even when it's uncomfortable or when it's divisive. Every day each of the Commission members hears from the community. Listening doesn't mean agreeing with everything we hear. It means we take it in, consider it seriously, and then make the best decision we can — using the judgment voters elected us for.

Accountability – He thinks the Commission is punting on accountability in this instance — and that bothers him. If voters don't like the decisions he makes, they can vote him out. That is real accountability, and he welcomes it. But, if the Commission punts this issue to the ballot, who's accountable? What happens when the community passes a ban — and next July 2nd, 3rd, and 4th, fireworks are still going off all over town? We already know enforcement is nearly impossible. We know fireworks stands are just minutes away. We know communities that have banned them still deal with illegal fireworks. And our police have made it clear — they're already stretched thin.

Commissioner Tryon received confirmation that a multiple-choice question cannot be put on a ballot; only a yes or no issue can go on the ballot. He will vote for putting this on the ballot, not because he wants to ban fireworks, but because people that are opposed to fireworks in residential neighborhoods deserve to have their concerns and their issues directly addressed instead of ignored and told that their concerns don't matter. He thinks the best way to address those in the most appropriate way is by sending this issue to the ballot.

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He has no problem making controversial decisions on this City Commission. No matter what voters decide on restricting fireworks in city limits in residential neighborhoods, the Commission will be accountability to address the issue of enforcement in making sure public safety personnel has the resources and policies in place. He thinks that the voters' decision will have more effect, credibility and will be more decisive. It will make enforcement easier if voters decide to restrict fireworks in city limits.

Commissioner Wilson noted that she is not ducking the issue either. She has heard from enough people that want to see this issue on a ballot. Regardless of either way the vote goes, the City and Commission will have a lot to deal with. The proposed ballot language is not to ban fireworks. It is to restrict fireworks that aren't dangerous and shooting off onto somebody else's roof.

Commissioner Wolff commented that the dangers of fires and the woman who lost her life needlessly were discussed. With regard to issues being put on the ballot, she doesn't think she has ever known of a chicken who killed anybody.

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

Motion carried 4-1 (Commissioner McKenney dissenting).

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

20. RESOLUTION 10594, RELATING TO FINANCING CERTAIN PROPOSED WATER SYSTEM IMPROVEMENTS; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE.

Finance Director Melissa Kinzler reported that Resolution 10594 is a reimbursement resolution for costs associated with certain improvements to the water filtration system at the Great Falls Water Treatment Plant (WTP). Reimbursable items include designing, engineering, procurement, advertisement, and construction of (i) a new retrofitted settling basin system, (ii) improvements and upgrades to the headhouse building, (iii) bulk sodium hypochlorite tanks, and related improvements (collectively, the "Projects"). This resolution will allow reimbursement by bond proceeds for costs that have occurred prior to the bond issuance and permit City staff to keep the projects on course.

WTP staff prioritized the three projects through a risk matrix as very critical and urgent improvements at the plant. The bond funding and capital improvement budgets are in the FY 2026 City of Great Falls Proposed Budget under the Water Fund and are identified in

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the Capital and Debt portion of the proposed budget. Current expenditures have been drawn from the Water Enterprise Fund, and the projects are identified in the Water CIP.

Adoption of this resolution will allow the City to be reimbursed for costs of improvements for the identified projects once the bonds have been issued. Additional Commission action will be required at a later date to authorize the issuance and fix the terms and conditions of the bonds.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10594.

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

Commissioner Wolff commented that this is a wise way to access funds to complete a project.

Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

21. RESOLUTION 10597, AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA ANNUAL ADJUSTABLE RATE MUNICIPAL FINANCE CONSOLIDATION ACT EXTENDABLE BOND (INTERCAP LOAN PROGRAM) FOR THE RENOVATION OF THE GREAT FALLS FIRE RESCUE TRAINING CENTER.

Finance Director Melissa Kinzler reported that at the April 1, 2025, City Commission meeting, the City Commission approved staff to pursue financing for the Fire Training Center Renovations through the Montana Board of Investments (MBOI) Intercap Loan Program. An application was completed and a loan for \$2,500,000 was approved by the Montana Board of Investments.

The current interest rate for an MBOI loan is 5%. The proposed term for the debt service is 15 years. Annual payment is estimated to be \$238,888.20. Due to its favorable interest rates and available funding, the City commonly uses the Montana Board of Investments (MBOI) Intercap Loan program when committing to non-voted general obligation debt. This is the final City Commission action that will be required during the process of issuing the debt.

Any amounts that are authorized in the borrowing that are more than the amount needed for the renovations will be released back to the Montana Board of Investments for their use on other projects. Early redemption of the loan is possible.

Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10597 authorizing participation in the Board of Investments of the State of Montana Annual Adjustable Rate Municipal Finance

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Consolidation Act Extendable Bond (Intercap Loan Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto.

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

Commissioner McKenney commented that at the April 15, 2025, meeting he was a dissenting vote on this item. He clarified that, on behalf of the City Commission, he was actively visiting with community leaders on the topic of public safety. One of the discussions was a capital campaign, and part of the capital campaign was for the Fire Training Center. Since that time, the capital campaign efforts are in a holding pattern, and he is all for Resolution 10597 for the Fire Training Center.

Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

CITY COMMISSION

22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Wilson expressed appreciation to the hard working personnel of the Great Falls Police Department and Great Falls Fire Rescue for her ride alongs and training this week, staff's work on the fireworks Resolution and Ordinance in a short timeframe, and to Finance staff for putting together a budget that was easy to pass, noting a \$7 per year increase for a \$300,000 house.

Commissioner Wilson also noted that she misses having Neighborhood Council updates. Councils used to present updated reports once per month to the Commission at work sessions, and she would like to see that start again.

23. COMMISSION INITIATIVES.

None.

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ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Reeves, to adjourn the regular meeting of August 5, 2025, at 9:18 p.m.**

Motion carried 5-0.

Mayor Cory Reeves

City Clerk Lisa Kunz

Minutes Approved: August 19, 2025