

**JOURNAL OF COMMISSION PROCEEDINGS**  
**November 18, 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 Jeremy Jones, Public Works Director Chris Gaub, Planning and Community Development Director Brock Cherry and Building Official Bruce Haman, Finance Director Melissa Kinzler, Deputy City Attorney Rachel Taylor, Police Chief Jeff Newton, and City Clerk Lisa Kunz.

**AGENDA APPROVAL:**

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.

**PETITIONS AND COMMUNICATIONS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Christian Nichols**, Brownsfield Coordinator at Great Falls Development Alliance (GFDA), provided an update on GFDA's catalyst redevelopment project. Two sites have been selected: the Falls Construction property at 1001 River Drive North and a city half-block at 600 1st Avenue North. GFDA is continuing to identify additional underutilized, underdeveloped, or blighted properties that fit the catalyst project goals.

GFDA aims for these catalyst sites to attract further private investment and spur broader revitalization. GFDA partnered with Cushing Terrell on project planning. GFDA also has \$75,000 in EPA funding from a 2003 grant to help advance opportunities that could trigger additional redevelopment in Great Falls. Mr. Nichols encouraged City staff to share potential property leads with GFDA.

## **JOURNAL OF COMMISSION PROCEEDING**

**November 18, 2025**

A key requirement for participation is that property owners must be committed to redeveloping their site or willing to sell it for redevelopment.

**Ron Paulick**, City resident, voiced concerns regarding six planned development projects in the Neighborhood Council 4 district. He noted the projects could add approximately 1,413 housing units, potentially bringing 2,826 adults, 2,826 vehicles, and 1,413 children within a 1.5-mile radius of the district. He urged the Commission to proactively address related impacts—particularly on schools, traffic, safety, and City expenses—before the developments are completed.

### **NEIGHBORHOOD COUNCILS**

#### **2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

#### **3. APPOINTMENTS TO NEIGHBORHOOD COUNCIL 6.**

Mayor Reeves reported that Neighborhood Council 6 had three candidates elected to their respective positions by acclamation following completion of the municipal general election on November 4, 2025. The remaining two positions need to be filled by appointment of the governing body, pursuant to Mont. Code Ann. § 13-1-403(5)(b).

Neighborhood Council 6 met on November 5, 2025, and considered the Citizen Interest Forms of Carl Donovan and Megan Darrah to fill the remaining positions on the Council.

**Commissioner Wolff moved, seconded by Commissioner Wilson, that the City Commission appoint Carl Donovan and Megan Darrah to serve on Neighborhood Council 6 from January 1, 2026, through December 31, 2027.**

Mayor Reeves asked if there were any comments from the public or discussion amongst the Commissioners. Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

### **BOARDS AND COMMISSIONS**

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

None.

### **CITY MANAGER**

#### **5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

## **JOURNAL OF COMMISSON PROCEEDING**

**November 18, 2025**

City Manager Greg Doyon provided an update on the Park and Recreation Director appointment process – four candidates were invited for tours and the interview process, two dropped out before the scheduled interviews, and two candidates were interviewed. He offered the position to one of the candidates who, unfortunately, had to withdraw due to personal reasons. At this point he is going to wait until after the first of the year to readvertise for the position. Bryan Lockerby is situated at Park and Recreation and is assisting Deputy Director Jessica Compton in the interim.

Manager Doyon congratulated Sgt. Tom Lynch on his retirement from the Great Falls Police Department after 20-years of service.

### **CONSENT AGENDA**

6. Minutes, November 4, 2025, City Commission Meeting.
7. Total Expenditures of \$6,401,159 for the period of October 16, 2025, through October 29, 2025, to include claims over \$25,000, in the amount of \$5,721,151.
8. Contracts List.
9. Approve a Professional Services Agreement in the amount not to exceed \$125,700 with TD&H Engineering, Inc. for the Linear Underground Development, Admin project and authorize the City Manager to execute the agreement. **OF 1784.4**

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

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

Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

### **PUBLIC HEARINGS**

- 10. ORDINANCE 3280, AMENDING TITLE 15, CHAPTERS 12 AND 13 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO RESIDENTIAL HAZARDOUS SOILS, BUILDINGS, AND CONSTRUCTION.**

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

Planning and Community Development Director Brock Cherry acknowledged that this ordinance has been a long time in the making. The conversation around hazardous soils,

## **JOURNAL OF COMMISSION PROCEEDING**

**November 18, 2025**

residential construction, and geotechnical requirements has been ongoing in Great Falls for many years — long before his arrival — and it became one of the first major issues placed on his desk when he joined the City a little over two years ago.

He expressed sincere gratitude to the Building Official Bruce Haman, Deputy Building Official Joelle Cote, and Building Plan Reviewers Thad Goetz and Amber Johanneck for their extensive work—digging into technical details, engaging the engineering and building community, reviewing past cases, and grounding this ordinance in real project conditions. Their professionalism and their drive to improve how the department operates is the reason he is able to present a practical, modernized, and more proportionate approach this evening.

Great Falls has a long history of expansive “fatty” clay soils and other geological conditions that can severely affect residential foundations. Construction on these soils led to years of failures, complaints, and litigation involving builders, engineers, the City, and others.

In response, the Building Safety Division implemented a policy in 2008 requiring a geotechnical analysis and foundation design recommendations for all new homes. While not always popular, most applicants were able to obtain testing and move forward. Even so, foundation-related disputes continued — including cases where reports were completed but not fully followed in the field or not verified on site by engineers before foundations were placed.

As litigation increased, local engineering firms became increasingly reluctant to perform residential geotechnical work. To keep residential construction moving, the City reached out to firms statewide and found two firms willing to travel to Great Falls, but both carried heavy backlogs. This created long delays, slowed single-family permit activity, and constrained housing supply at a time when demand was never higher.

In 2020, staff explored a stricter, more uniform geotechnical ordinance that would have required upfront testing, more detailed reporting, and mandatory on-site inspections before foundations were poured. While technically sound, that proposal would have increased costs and did not receive broad support from the development community.

That history is what sets the stage for the more flexible, proportionate approach being suggested tonight.

After further research and extensive engagement with both the building community and the geotechnical engineering community, including two public information sessions on August 20<sup>th</sup> that drew about 30 participants, staff drafted the proposed ordinance before the Commission tonight.

The same message was consistently heard and reflected in the handout: our current approach has been technically effective, but practically burdensome for low-risk, small-scale projects. The new ordinance responds to that feedback. It provides a more flexible and proportionate framework — one that preserves the safeguards needed for higher-risk

## **JOURNAL OF COMMISSION PROCEEDING**

**November 18, 2025**

sites while removing unnecessary barriers for routine residential construction and infill development.

This ordinance makes two major structural improvements, both of which rely on the best available site-specific information rather than a one-size-fits-all rule.

First, it introduces the Initial Site Evaluation. This is a lighter, lower-cost, site-specific assessment performed by a qualified geotechnical engineer. Its purpose is to determine whether a project can safely proceed under the International Residential Code or whether the soil, groundwater, or slope conditions warrant a full Geologic Hazards Plan and Report under the International Building Code. It directs the right level of review to the right type of project, saving time and cost for lower-risk sites while ensuring higher-risk areas get the thorough evaluation they require.

Second, it establishes targeted, case-by-case exemptions for small-scale infill and accessory residential projects — up to four dwelling units on sites already served by public infrastructure — when there is no evidence of geologic hazards. These exemptions apply only to projects that fall under the International Residential Code, occupy one acre or less, involve minimal grading, and meet all City codes.

Examples include detached garages, shops, ADUs, the redevelopment of older or dilapidated homes, and projects that already have a recent geotechnical study or a documented low risk finding from an engineer. He noted that exemptions are never automatic. The Building Official can deny them at any time if site history, existing conditions, or professional judgment indicate elevated risk.

In conclusion, this ordinance puts a more practical system in place. It maintains the protections needed for higher-risk sites and removes unnecessary hurdles for small, low-risk residential projects, and it is better than what the department has been doing for 17 years. Staff has vetted the ordinance with the legal department and believe the proposed ordinance is a way to encourage and increase development in the community.

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

Commissioner Tryon requested a brief background of what the prior litigation entailed and how this ordinance would mitigate litigation in the future.

Director Cherry responded that the City was the primary entity named in those lawsuits.

Manager Doyon provided background on the proposed soil-related ordinance, noting that the City was previously involved in prolonged litigation over improperly constructed foundations, with the potential for broader class action concerns. He explained that the ordinance is intended to reduce risk for taxpayers and strengthen City policy.

He emphasized that maintaining proper soil standards helps ensure the structural integrity of new construction, thereby protecting the housing inventory, property values, and the City's tax base. Because many local soils are poor, additional checks will better protect homebuyers and offers a clear, predictable process for both builders and buyers.

## **JOURNAL OF COMMISSION PROCEEDING**

**November 18, 2025**

Manager Doyon added that should improvements be identified, the ordinance could be amended in the future to make it better.

Commissioner Tryon inquired why the City could not simply make it a policy requiring permit applicants to sign a waiver accepting full responsibility for foundation issues and agreeing not to pursue legal action against the City at a later time.

Manager Doyon commented that a liability waiver was his original idea. However, internal discussions about what is appropriate for all parties involved and recognizing the impact on structures in the community for reasons he already stated, a waiver alone would not be appropriate or sufficient.

Deputy City Attorney Rachel Taylor added that the Planning Department extensively discussed the waiver option and even drafted a version for review. However, she had significant concerns about its practical and legal mechanics—specifically, who would be required to sign (owner, developer), whether it would bind future property owners, and whether it would be enforceable. Due to these uncertainties, she was not confident a waiver was adequate.

Director Cherry added that the liability waiver was discussed with the development community, lenders, and brokers, and what that would look like if the waiver was recorded with the property in perpetuity. The biggest concern about that was why would the City require a waiver if it was implementing best practice. The proposed ordinance isn't a waiver to build an unsafe or sub-par dwelling. The City doesn't get taxable value out of failed dwellings.

He read section 15.12.070(1) of the proposed ordinance – Responsibility and Liability for Geologic Hazards. By virtue of having that language in the ordinance, the applicant is assuming liability and responsibility of the geological conditions of the site. He emphasized that the message isn't that the department is allowing something "less." It is about using the best information about the actual site for pragmatic outcomes, rather than just taking the code book and applying it generally without any of the components for consideration.

Mayor Reeves received clarification that, should an exemption be applied for, the applicant would receive a letter from the Planning Department that sets forth the components and analysis, as well as that referenced section, and will also be given to the builder.

Commissioner Tryon received confirmation that section was included in the ordinance as a legally defensible clause in the case of litigation.

Commissioner Wilson referred to page 49 of the agenda packet and read #4 of the current proposal and #1 of other alternatives considered by staff, noting #4 was ambiguous and #1 was definitive.

Commissioner McKenney responded that page 49 is a summary in the Agenda Report for Commission review, and page 62 contains the details of the ordinance language.

## **JOURNAL OF COMMISSION PROCEEDING**

**November 18, 2025**

Commissioner Wilson expressed concern about subsequent property owners.

Deputy City Attorney Taylor responded that, if something were to fail, it would really depend on the circumstances.

Mayor Reeves asked if there were any comments from the public in support of Ordinance 3280. No one responded.

Mayor Reeves asked if there were any comments from the public in opposition to Ordinance 3280. No one responded.

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

**Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission adopt Ordinance 3280.**

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

Commissioner McKenney commented that the Commission is taking action to correct a process that has been on the books for 17 years at the request of the building community. The ordinance can be revisited at any time if it isn't perfect and changes need to be made. He thanked staff for working with the building community and coming up with the ordinance.

Commissioner Wolff thanked everyone for their hard work, including the local contractors, developers and builders. She likes the fact that it is budget neutral, provides flexibility, is pragmatic and looks at today and the future.

In response to Commissioner Wilson, Deputy City Attorney Taylor added that the other alternatives not recommended included the property owners educating themselves with the process of the City, and the ordinance sets forth the City's process with regard to exemptions.

Director Cherry added that #1 was based on the idea of a hold harmless or some sort of waiver. Number 2 of the alternatives not recommended was to never consider residential development where the soils were difficult. People build where the market is good, not where the dirt is good. A lot of people have been building in the county, and the county does not have the same requirements as the city. This ordinance allows the building official to even entertain the idea of someone who has had success with alternative foundation designs in the county to bring that to the city to see if it would work here.

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

Motion carried 5-0.

# **JOURNAL OF COMMISSON PROCEEDING**

**November 18, 2025**

## **OLD BUSINESS**

## **NEW BUSINESS**

## **ORDINANCES / RESOLUTIONS**

## **CITY COMMISSION**

### **11. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM THE CITY COMMISSION.**

Commissioner Wilson announced that she recently finished the six-week local government on-line course.

### **12. COMMISSION INITIATIVES.**

None.

## **ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Reeves, to adjourn the regular meeting of November 18, 2025, at 7:41 p.m.**

Motion carried 5-0.

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Mayor Cory Reeves

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City Clerk Lisa Kunz

**Minutes Approved: December 2, 2025**