



City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Virtual Meeting by Zoom
January 19, 2021
7:00 PM

Due to the COVID-19 health concerns, the format of the City Commission meeting will be held in a virtual video-conferencing environment. City Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- Attend the virtual meeting utilizing Zoom Webinar. Attendees must register in advance for the Commission Meeting: https://us02web.zoom.us/webinar/register/WN_r5Hw9PY5QquotBh7eLcEcA. After registering, you will receive a confirmation email containing information about joining the webinar by Zoom.
- Participate by phone. Attendees must register in advance for the Commission Meeting using the link above. After registering, you will receive a confirmation email containing information about joining the webinar by phone. If you do not have internet access you may contact the Great Falls Public Library prior to the meeting at 453-9706 and they can assist with registration. This would need to be done by 5:30 on the evening of the meeting. The Mayor will provide direction during the meeting on how to alert staff that you have comments for the agenda item.
- Attend in person. The City will be following the Current Governor's Directives and the Public Health Officer Orders regarding public meetings conducted by, staffed by or held in the facilities of the city. Masks will be required, social distancing will be enforced, and the total number of persons in the meeting room will be limited to a maximum of 25. Public following these directives may view and participate in the meeting from the Gibson Room. Please refrain from attending in person if you are not feeling well.
- Provide public comments in writing. Comments may be sent via mail to City Clerk, PO Box 5021, Great Falls MT 59403 or by email to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Please ensure that comments arrive before 12:00 PM on Tuesday, January 19, 2021. Due to tracking and dissemination requirements, written communication must be received by that time in order to be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

Black History Month and National Catholic Schools Week

COMMUNITY HEALTH INITIATIVES

1. Alliance for Youth - Teen Marijuana Use. *(Presented by Beth Morrison and Kristy Pontet-Stroop)*

PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/BOARDS AND COMMISSIONS

2. Miscellaneous reports and announcements.

(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and either your address or whether you are a city resident for the record.)

CITY MANAGER

3. Miscellaneous reports and announcements from City Manager.

CONSENT AGENDA

The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.

4. Minutes, January 5, 2021, City Commission Meeting.
5. Total Expenditures of \$4,873,301 for the period of December 16, 2020 through January 6, 2021, to include claims over \$25,000, in the amount of \$4,343,032.
6. Set a public a hearing for February 2, 2021 to consider the lease of city-owned property, the Visitor Center (15 Overlook Drive), to Great Falls Montana Tourism.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member.

PUBLIC HEARINGS

7. Exchange Agreement of City owned property identified as the 6 easterly lots within Kranz Park with the Great Falls Public School District Number 1 owned property identified as Loy land along 57th Street North next to the Seibel Soccer Complex. *Action: Conduct a public hearing and approve or deny the Exchange Agreement. (Presented by Steve Herrig)*

OLD BUSINESS

NEW BUSINESS

8. Central Montana Agriculture and Technology Park (CMATP) TIF Phase IV Storm Drain. *Action: Award or not award a contract in the amount of \$369,182.50 to Shumaker Trucking & Excavating Contractors, Inc., and authorize or not authorize the City Manager to execute the construction contract documents. (Presented by Paul Skubinna)*

ORDINANCES / RESOLUTIONS

CITY COMMISSION

9. Legislative Initiatives.

10. Miscellaneous reports and announcements from the City Commission.

ADJOURNMENT

Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.

MARIJUANA & YOUTH

The Cascade County Substance Abuse Prevention Alliance (SAPA) has reviewed the research and data on the effects of marijuana use on youth and local communities. The following represent key areas of concerns and recommendations to limit harm related to the health and safety of our youth.

We would implore you to protect our youth and the landscape of addiction in Montana by implementing the following.

PROXIMITY

1000 feet from schools (preschool to higher education) & places of worship

DENSITY

1 marijuana dispensary per 10,000 residents, never to exceed 10 total in Cascade County

LICENSING

Do NOT allow any marijuana products to be sold at businesses that sell alcohol



NEARLY
50%

of Great Falls high school students have used marijuana (1 or more times), which is 20% higher than the state average.¹

2X

Great Falls middle school students use marijuana on a daily basis at a rate of twice the state average.¹

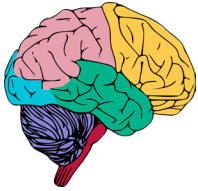
AGE OF
12

The percentage of Great Falls middle school students who began using marijuana before the age of 12 has nearly doubled over the past two years.¹

BACKGROUND ON MARIJUANA & YOUTH



THE YOUTH BRAIN PRIMED FOR ADDICTION



- The pre-frontal cortex of the brain—which controls judgment & decision making—is still developing through the mid-20s & is vulnerable to the effects of addictive substances, such as marijuana.²
- Repeated marijuana use during adolescence is associated with changes in the areas of the brain involved with attention, memory, decision making & motivation. Research also shows that it can also lead to addiction, relationship issues & long-term mental health problems, including suicide attempts.³
- Marijuana can also impair learning in adolescents. Students who use marijuana tend to get lower grades & are more likely to drop out of high school or be truant.⁴
- Edible marijuana products appeal to teens. The popularity of edibles also increases the chance of users having harmful reactions. Edibles take longer to digest & longer to produce a high; therefore, people may consume more because of the delayed effects, leading to dangerous results.⁵

POTENCY



Marijuana is a MUCH more potent drug now than in years past—today averaging three to seven or more times stronger than in the 1980s. Some samples of marijuana extracts exceed 80% THC.⁶

IMPACT ON SCHOOLS & EDUCATION

Legalized marijuana leads to increased youth marijuana use & increased drug violations at school.

- Past month marijuana use for ages 12 and older in Colorado **increased 58%** and is **78% higher** than the national average.⁷
- The latest available Colorado drug violation data indicates that marijuana violations were involved in **77% of referrals to law enforcement, 71% of expulsions & 69% of school suspensions.**⁸
- In Anchorage, Alaska school suspensions for marijuana increased more than 141% after legalization was implemented.⁹
- For every dollar gained in tax revenue, Colorado spent approximately \$4.50 to mitigate the effects of legalization. High school drop-outs are one of the largest cost contributors.¹⁰

GREAT FALLS & CASCADE COUNTY



Youth marijuana use has significantly increased since 2017 in Great Falls and Cascade County, particularly among middle school students.¹

PUBLIC SAFETY



- Marijuana use impairs driving skills.¹¹
- The combination of alcohol and marijuana use has been shown to increase the likelihood of two vehicle fatal crashes by up to five times.¹²
- Regarding secondhand smoke, in that the artery recovery time for exposure to one minute of tobacco smoke is 30 minutes, exposure to marijuana smoke for one minute is 90 minutes of recovery time.¹³

Works Cited: ¹GFPS YRBS Snapshot 2019, ²NIDA, ³NIDA, ⁴CDC, ⁵NIDA for Teens, ⁶Rocky Mountain HIDTA, ⁷Rocky Mountain HIDTA, ⁸Anchorage Daily News, ⁹Rocky Mountain HIDTA, ¹⁰NHTSA, ¹¹Columbia University Mailman School of Public Health, ¹²Journal of the American Heart Association (Works Cited page available upon request.)



Marijuana & Youth Position Statement

Works Cited

- ⁹Anchorage Daily News. "Marijuana school suspensions more than doubled after legalization." Anchorage Daily News 11 Jan 2018. Print.
- ⁴CDC, Centers for Disease Control and Prevention. Centers for Disease Control and Prevention. n.d. Web. Nov 2020. <https://www.cdc.gov/marijuana/factsheets/teens.htm>.
- ¹²Columbia University Mailman School of Public Health. Columbia University Mailman School of Public Health. 12 June 2017. Web. <https://www.publichealth.columbia.edu/public-healthnow/news/mixing-booze-and-pot-serious-threat-traffic-safety>.
- ¹GFPS. Great Falls Public Schools Youth Risk Behavior Survey Data Snapshot. Print. Great Falls: Great Falls Public School District, 2019. Print.
- ⁵NIDA for Teens. National Institute on Drug Abuse for Teens. n.d. Web. Nov 2020. <https://teens.drugabuse.gov/blog/post/marijuana-edibles-are-not-candy>.
- ²NIDA. National Institute on Drug Abuse. n.d. Web. Nov 2020. <https://www.drugabuse.gov/drugtopics/adolescent-brain>.
- ³NIDA. National Institute on Drug Abuse. n.d. Web. Nov 2020. <https://www.drugabuse.gov/publications/drugfacts/marijuana>.
- ⁶NIDA, National Institute on Drug Abuse. National Institute on Drug Abuse. n.d. Web. Nov 2020. <https://www.drugabuse.gov/publications/drugfacts/marijuana-concentrates>.
- ¹¹NHTSA, National Highway & Traffic Safety Admin. NHTSA. n.d. Web. Nov 2020. <https://www.nhtsa.gov/risky-driving/drug-impaired-driving#32451>.
- ⁷Rocky Mountain HIDTA. "The Legalization of Marijuana in Colorado: The Impact." pg. 1. Print. 2019.
- ⁸Rocky Mountain HIDTA. "The Legalization of Marijuana in Colorado: The Impact." pg. 28. Print. 2019.
- ¹⁰Rocky Mountain HIDTA. "The Legalization of Marijuana in Colorado: The Impact."pg. 67. Print. 2019.
- ¹³Wang, Xiaoyin, et al. "One Minute of Marijuana Secondhand Smoke Exposure Substantially Impairs Vascular Endothelial Function." Journal of American Heart Association (2016): 1. Print.

Rationale behind:

PROXIMITY

Research shows there is a strong association between young adult marijuana outcomes and the availability of marijuana dispensaries and storefront signage.

Shih, Regina A, et al. "Associations between young adult marijuana outcomes and availability of medical marijuana dispensaries and storefront signage." *The Society for the Study of Addiction* (2019): 1. Print.

DENSITY

The tobacco industry figured out early on that establishing weak protections at a state level with provisions preempting local control was an effective strategy for protecting their markets. Our State government must realize that the sale of a mind-altering and, particularly, dependence-inducing drug is an important issue for local control. Local control of things like zoning, advertising, hours of operation and density are essential.

Legalization Leads to Commercialization: Policies to Prevent Sales to Youth. *Truth Initiative*. 15 Dec 2019. Web. www.truthinitiative.org/research-resources/substance-use/action-needed-youth-and-marijuana. Web.

LICENSING

Most states with legal retail of marijuana restrict the sale of liquor and tobacco in the same establishment. Today, more than 70% of tobacco sales occur in convenience stores and gas stations. Since single-item stores also make it easier to enforce age restrictions, this policy can help to prevent underage sales.

Legalization Leads to Commercialization: Policies to Prevent Sales to Youth. *Truth Initiative*. 15 Dec 2019. Web. www.truthinitiative.org/research-resources/substance-use/action-needed-youth-and-marijuana. Web.

JOURNAL OF COMMISSION PROCEEDINGS
January 5, 2021

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Civic Center Gibson Room 212

PLEDGE OF ALLEGIANCE

Due to the COVID-19 health concerns, the format of the City Commission Meeting was held in a virtual video-conferencing environment.

ROLL CALL/STAFF INTRODUCTIONS: City Commission members participated electronically via Zoom Webinar: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. City Staff participating electronically were: Deputy City Manager Chuck Anderson; Finance Director Melissa Kinzler; City Attorney Sara Sexe; Library Director Susie McIntyre; and Public Works Director Paul Skubinna. Staff present: City Manager Greg Doyon; Park and Recreation Director Steve Herrig; Police Chief Dave Bowen; and City Clerk Lisa Kunz.

To honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation as follows:

- Attend in person. **The City will be following the Current Governor's Directives and the Public Health Officer Orders regarding public meetings conducted by, staffed by or held in the facilities of the city.** Masks will be required, social distancing will be enforced, and the total number of persons in the meeting room will be limited to a maximum of 25. Public following these directives may view and participate in the meeting from the Gibson Room. Please refrain from attending in person if you are not feeling well.
- Attend the virtual meeting utilizing Zoom Webinar. Attendees must register in advance for the Commission Meeting: https://us02web.zoom.us/webinar/register/WN_6ZIK7jzMSGqhGq1d7hwvpQ. After registering, you will receive a confirmation email containing information about joining the webinar by Zoom.
- Participate by phone. Attendees must register in advance for the Commission Meeting using the link above. After registering, you will receive a confirmation email containing information about joining the webinar by phone. If you do not have internet access you may contact the Great Falls Public Library prior to the meeting at 453-9706 and they can assist with registration.
- Provide public comments in writing. Submit comments via mail addressed to City Clerk's Office, PO Box 5021, Great Falls, MT 59403 or by email to: commission@greatfallsmt.net by 12:00 PM the day of the meeting.
- The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on cable channel 190, or online at <https://greatfallsmt.net/livestream>.

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: None.

JOURNAL OF COMMISSION PROCEEDINGS
January 5, 2021

MILITARY UPDATES

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

In an effort to keep the community informed and partnership with the City stronger, **Colonel Feugate Opperman**, Malmstrom Air Force Base (Base), provided the following update:

- The first supply of the Covid vaccine was received last week to begin vaccinations of first responders and key support personnel of the nuclear mission.
- In the fall of 2021, Malmstrom will be the first base to get the MH 139 helicopters (nicknamed Grey Wolf) to replace the Vietnam era UH1 helicopters (commonly known as the Huey). Construction on base has begun for a new helicopter operations facility.
- During 2020 Malmstrom modernized or is in the process of building new facilities for current missions and future missions, including a \$19.7 million Tactical Response Force facility for security force personnel, an \$18.7 million Missile Maintenance Dispatch facility, and a three-bay helicopter hangar.

She reported the economic impact of Malmstrom for FY19 was \$315 million and is estimated the same for FY20.

Malmstrom contracted out upgrades to the Missile Alert facilities and expects construction on 2-3 facilities per year.

Col. Opperman also reported that Malmstrom is scheduled for Ground Base Strategic Deterrent (DBSD) upgrades beginning in 2026. The five to seven year project includes new support facilities as well as missiles.

Commissioners expressed excitement about the projects, thanked Col. Opperman for a great presentation, and welcomed her back to Great Falls. Commissioner Tryon commented that it is his understanding that Malmstrom Air Force Base is responsible for about 40% of Great Falls' economy, and noted that base personnel do a great deal of volunteer work in the community.

**PETITIONS AND COMMUNICATIONS/NEIGHBORHOOD COUNCILS/
BOARDS AND COMMISSIONS**

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Daniel Hartzel, 601 Central Avenue, discussed suggestions for the Civic Center façade and his painting on government property.

3. APPOINTMENT/REAPPOINTMENT TO THE MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission appoint Ms. Krystina Thiel-Smalley and reappoint Christina Horton as members to the

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January 5, 2021

Mansfield Center for the Performing Arts Advisory Board for three-year terms 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 Robinson commented that Krystina Thiel-Smalley has been an icon in the community for many years in the field of performing arts. He was also excited to see Christina Horton's interest in reappointment.

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

Motion carried 5-0.

4. APPOINTMENT TO THE LIBRARY BOARD.

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission appoint Jessica Crist to the Library Board for the remainder of a five-year term through June 30, 2025.

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

Commissioners Tryon and Robinson were impressed with all three applicants, noting they were all highly qualified. Applicants Mary Lehman and Shannon Myrick were encouraged to apply again for board openings, or volunteer at the Library.

Susie McIntyre, Library Director, commented that she was available to answer any questions.

Jessica Crist, appointee, commented it is an honor to be nominated and looks forward to serving.

Mayor Kelly called for the vote.

Motion carried 5-0.

5. REAPPOINTMENT TO THE PARK AND RECREATION BOARD.

Commissioner Tryon moved, seconded by Commissioner Houck, that the City Commission reappoint Patrick Carroll for a three-year term through December 31, 2023, to the Park and Recreation Board.

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

Mayor Kelly commented that the Park and Recreation Board becomes more and more significant as use of the Park Maintenance District funds make effective changes in the City.

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As the liaison to the Park and Recreation Board, Commissioner Moe noted that Patrick Carroll is engaged at meetings and keeps up on the business of the board.

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

Motion carried 5-0.

CITY MANAGER

6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon thanked the Commission for the robust work session discussion and giving staff direction and consensus on the pool location. Appreciation was also expressed to City staff for their commitment to the community over the last year. During the strain of the Covid 19 pandemic, he focused on keeping 500+ employees and their families safe and healthy, and ensuring City services continued, capital projects were undertaken, and a variety of recreational amenities were provided. He highlighted things the community can look forward to in 2021:

- Completion of Fire Station #4
- Interior Civic Center renovation to help with staff logistics and public access
- Exterior façade and roof replacement of the Civic Center
- Opportunity for an animal adoption partnership with Maclean Cameron Animal Adoption Center
- An active legislative session that may provide more clarity on issues critical to local government; he will keep a close eye on financial impacts on the community
- Continuing to work with Malmstrom Air Force Base (MAFB), Department of Defense (DoD), Office of Economic Adjustment (OEA), and the design team on a new recreation and aquatics facility for the community
- New department leadership ideas and operational changes to serve the public better
- In March the Library will have a new Bookmobile
- Continued community outreach to Great Falls' minorities and Native populations
- Year three Park Maintenance District #1 projects include:
 - Grande Vista trail replacement
 - ADA restroom – Lions park
 - Multi-sports dugout/backstop (all 8 fields updated)
 - ADA sidewalks to play structures
 - Resurfacing of basketball courts
 - Continued tree replacement
 - Gibson pond wall repair
- Implementation of the new radio communications system for public safety in mid-February
- Great Falls Housing Authority will be modernizing the Austin Hall elevator

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Manager Doyon concluded that he will be submitting a ~~repressed~~ revised work plan for the year to the Commission for consideration.

Commissioner Robinson inquired about Police and Fire personnel vaccinations.

Manager Doyon responded that a majority of first responders at the Fire Department have received the vaccine, and Police Department personnel are due for theirs next week.

Commissioner Tryon inquired when Manager Doyon might bring forward a resolution rescinding his grant of temporary emergency authority.

Manager Doyon responded that the powers were put in place in order to allow a faster response to emergencies that came about with City operations. He will check with the City Attorney about rescinding the order now that there is a virtual format to meet quickly and Covid 19 continues to decline.

City Attorney Sara Sexe reminded the Commission that the previous discussion was the order would be maintained as long as there was a declared state of emergency in effect.

Commissioner Moe inquired Manager Doyon's comments about direction from the Commission regarding Maclean Cameron Animal Adoption Center.

Manager Doyon responded that he said we have an opportunity to develop an adoption program with them. Next week he will have a conversation with Maclean representatives to see the way forward and report back to the Commission. After the last discussion, he summarized what the Commission would like to see happen: the RFP process is done, but the discussion is not; a majority of the Commission members want to see some type of partnership develop with Maclean and that is what he intends to pursue after building up a relationship with those representatives.

CONSENT AGENDA.

7. Minutes, December 15, 2020, City Commission Meeting.
8. Total Expenditures of \$3,164,417 for the period of December 1, 2020 through December 16, 2020, to include claims over \$25,000, in the amount of \$2,614,137.
9. Contracts List.
10. Lien Release List.
11. Approve the purchase of one new Peterbilt 520 Curbtender Garbage Truck from SWS Equipment, Inc., of Spokane, WA, through Sourcewell, formerly known as NJPA, for a total of \$254,303, including shipping.

JOURNAL OF COMMISSION PROCEEDINGS**January 5, 2021**

Commissioner Moe moved, seconded by Commissioners Houck and Robinson, that the Great Falls City Commission approve the Consent Agenda as presented.

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

Motion carried 5-0.

PUBLIC HEARINGS**OLD BUSINESS****NEW BUSINESS**

12. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND AUDIT REPORT, FY 2019-2020.

Finance Director Melissa Kinzler reported that the City's Audit Committee met on December 9, 2020. The City's Audit Committee is comprised of one City Commissioner, the Mayor, two citizens, the City Manager, and the Finance Director. Members of the Audit Committee received a copy of the Draft FY 2019-2020 CAFR, the Draft Independent Auditor's report, and a brief summary of the FY 2019-2020 audit prior to the meeting. The Required Client Communication Letter in draft form was explained by the auditors to the audit committee. There was no current year recommendation and one prior recommendation with the Required Client Communication Letter. The FY 2019-2020 CAFR and Required Client Communication Letter and Responses were approved by the audit committee with the stipulation that the Audit Committee be contacted if there were any changes made due to the Office of Management and Budget (OMB) circular regarding the CARES Act (Coronavirus Aid, Relief and Economic Security Act). At the time of the audit committee meeting, the CAFR was not finalized due to not having the final OMB circular regarding the CARES Act. Final versions of all reports have now been sent to the Audit Committee with no changes.

The City Commission has historically accepted the audited report at the second meeting in December. In order to remain consistent with that timeline, the City Manager has accepted the report, FY 2019–2020 CAFR, the Required Client Communication Letter, and the City's response to the Required Client Communication letter, so staff could submit the required reports before the deadline of December 31, 2020.

Staff recommends the City Commission ratify the City Manager's acceptance of the FY 2019–2020 CAFR, the Required Client Communication Letter, the City's response to the Required Client Communication letter, and the City Manager's authorization to staff to submit the related reports to other government agencies and financial institutions as necessary.

Sarah Stanger, Anderson ZurMuehlen & Co., P.C., reported that the audit engagement has two parts: review of the City's financial statements and a separate agreed upon procedures engagement over the City's building code program.

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Ms. Stanger reported that the CAFR is required to be submitted to the Government Finance Officers Association's (GFOA) Certificate of Achievement Program for review, and she noted that the City has received the Certificate of Achievement for Excellence in Financial Reporting every year since 1994. She commended the City for its long track record of good reporting and work in putting the CAFR together.

She discussed the four sections of the CAFR, which included: the Introductory, Financial, Statistical, and Single Audit.

Ms. Stanger concluded that all audit opinions were clean and there were no findings, comments or recommendations made.

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission ratify the FY 2019-2020 CAFR, the Required Client Communication Letter and the City's response to the Required Client Communication Letter, and the City Manager's authorization to staff to submit the related reports to other government agencies and financial institutions as necessary.

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 Houck noted that she has served on the audit committee, and that Anderson ZurMuehlen does incredible due diligence in its review of City financials. She reminded the public that the CAFR is available on line for review and is easy to navigate. She encouraged public use of the City's on-line budgeting tool and to make recommendations to the City.

Mayor Kelly mentioned that a citizen Certified Public Accountant is serving on the audit committee, and that the tool Commissioner Houck mentioned is called Balancing Act on the City website.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS
CITY COMMISSION

13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Moe announced the passing of active community member Bill Harp. On behalf of the Commission she extended sincere condolences to his wife and children.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of January 5, 2021, at 8:12 p.m.**

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Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: January 19, 2021

DRAFT



Commission Meeting Date: January 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

ITEM: \$25,000 Report
Invoices and Claims in Excess of \$25,000

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT
<http://greatfallsmt.net/finance/checkregister>

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN
ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$25,000:**

ACCOUNTS PAYABLE CHECK RUNS FROM NEW WORLD DEC. 24, 2020 - JAN. 6, 2021	543,250.03
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS DEC. 24, 2020 - JAN. 6, 2021	4,275,478.50
MUNICIPAL COURT ACCOUNT CHECK RUN FOR DECEMBER 16, 2020 - DECEMBER 31, 2020	54,572.18

TOTAL: \$ 4,873,300.71

GENERAL FUND

OTHER ADMIN

CITY COUNTY HEALTH DEPT.	2ND HALF 2021 ANNUAL CONTRIBUTION	125,000.00
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FIRE

WVH ENTERPRISES, LLC	OF 1727.5 FIRE STATION 4 RENOVATION PH 2	63,646.46
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SPECIAL REVENUE FUND

STREET DISTRICT

NORMONT EQUIPMENT CO	LEAF PRO W/ HOOK LIFT, SPARTAN LEAF BAGS (SPLIT AMONG FUNDS)	25,325.00
ROYAL HARPINE CONSTRUCTION	VALLEY GUTTER INSTALL PW BUILDING (SPLIT AMONG FUNDS)	7,383.25

NATURAL RESOURCES

NORMONT EQUIPMENT CO	LEAF PRO W/ HOOK LIFT, SPARTAN LEAF BAGS (SPLIT AMONG FUNDS)	36,762.99
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PARK DISTRICT

L'HEUREUX PAGE WERNER PC	OF 1770 INDOOR AQUATIC AND RECREATION FACILITY	31,169.40
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CENTRAL MONTANA AG TECH PARK TID

US BANK	DEBT SERVICE	44,038.44
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DEBT SERVICE**WEST BANK TID BONDS**

US BANK	DEBT SERVICE	56,712.50
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ENTERPRISE FUNDS**WATER**

US BANK	DEBT SERVICE	274,800.00
US BANK	DEBT SERVICE	318,962.50
US BANK	DEBT SERVICE	320,075.00
US BANK	DEBT SERVICE	86,336.17
US BANK	DEBT SERVICE	130,720.00
US BANK	DEBT SERVICE	101,000.00
ROYAL HARPINE CONSTRUCTION	VALLEY GUTTER INSTALL PW BUILDING (SPLIT AMONG FUNDS)	3,883.25

SEWER

US BANK	DEBT SERVICE	236,990.00
US BANK	DEBT SERVICE	213,605.00
US BANK	DEBT SERVICE	116,595.00
US BANK	DEBT SERVICE	340,990.00
ROYAL HARPINE CONSTRUCTION	VALLEY GUTTER INSTALL PW BUILDING (SPLIT AMONG FUNDS)	2,500.00

STORM DRAIN

US BANK	DEBT SERVICE	103,800.00
US BANK	DEBT SERVICE	152,125.00
NORMONT EQUIPMENT CO	LEAF PRO W/ HOOK LIFT, SPARTAN	25,325.00
	LEAF BAGS (SPLIT AMONG FUNDS)	
ROYAL HARPINE CONSTRUCTION	VALLEY GUTTER INSTALL PW BUILDING (SPLIT AMONG FUNDS)	1,000.00

INTERNAL SERVICES FUND**HEALTH & BENEFITS**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	EMPLOYEE INSURANCE DEDUCTIBLES AND PREMIUMS	923,718.60
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CENTRAL GARAGE

ROYAL HARPINE CONSTRUCTION	VALLEY GUTTER INSTALL PW BUILDING (SPLIT AMONG FUNDS)	7,383.25
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PUBLIC WORKS ADMINISTRATION

ROYAL HARPINE CONSTRUCTION	VALLEY GUTTER INSTALL PW BUILDING (SPLIT AMONG FUNDS)	7,383.25
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TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS

FINES & FORFEITURES COLLECTIONS

46,806.00

PAYROLL CLEARING

STATE TREASURER

MONTANA TAXES

47,603.00

FIREFIGHTER RETIREMENT

FIREFIGHTER RETIREMENT EMPLOYEE &
EMPLOYER CONTRIBUTIONS

51,481.71

STATEWIDE POLICE RESERVE FUND

POLICE RETIREMENT EMPLOYEE &
EMPLOYER CONTRIBUTIONS

64,449.37

PUBLIC EMPLOYEE RETIREMENT

PUBLIC EMPLOYEE RETIREMENT
EMPLOYEE & EMPLOYER CONTRIBUTIONS

124,510.83

US BANK

FEDERAL TAXES, FICA & MEDICARE

197,245.07

LABORERS INTERNATIONAL UNION

EMPLOYEE CONTRIBUTIONS

27,463.89

MONTANA OE - CI TRUST FUND

EMPLOYEE CONTRIBUTIONS

26,241.98

CLAIMS OVER \$25000 TOTAL:\$ 4,343,031.91



Commission Meeting Date: January 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Set Public Hearing for the Lease of the Visitor Center (15 Overlook Drive).

From: Park and Recreation Department

Initiated By: Steve Herrig, Park and Recreation Director

Presented By: Steve Herrig, Park and Recreation Director

Action Requested: Set Public Hearing for February 2, 2021 for the Lease of the Visitor Center.

Suggested Motion

1. Commissioner moves:

“I move that the City Commission (set/not set) a public a hearing for February 2, 2021 to consider the lease of city-owned property, the Visitor Center (15 Overlook Drive), to Great Falls Montana Tourism.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation:

Staff recommends the City Commission set a public hearing for February 2, 2021 to consider the lease of the Visitor Center, city-owned property, located at 15 Overlook Drive, to the Great Falls Montana Tourism.

Background:

Park and Recreation issued a Request for Proposals for the Visitor Center located at 15 Overlook Drive on July 31, 2020 with a due date of August 26, 2020. On September 1, 2020, the deadline was extended to September 22, 2020 to allow parties interested in the building more time to prepare their proposal. Two proposals were received, neither of which were determined beneficial to the City and the Park and Recreation Department. Staff entered into negotiations with Great Falls Tourism to negotiate a lease that would be beneficial to both parties. Negotiations are nearly complete, and a final agreement will be completed in the near future.

As required by Title 3, Chapter 4, OCCGF, before final consideration by the City Commission of the sale, trade, or lease of City property, the City Commission shall hold a public hearing thereon and allow at least fifteen (15) days' notice of the time and place of such hearing to be published in a newspaper of general circulation in the City.

Concurrences:

At their regular meeting, the Park and Recreation Advisory Board recommended the City Commission approve the lease of the Visitor Center to Great Falls Montana Tourism.

Fiscal Impact:

Over the term of the lease, Great Falls Montana Tourism will pay a graduated lease payment to Park and Recreation. The lease payment will be \$1 for the first year, \$500 per month for year two, and \$1,000 per month for years three through seven.

Alternatives:

If the City Commission chooses to not set the public hearing, the lease will not be adopted and the public notice will be voided.



Commission Meeting Date: January 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Conduct a public hearing on Exchange Agreement Between City of Great Falls and Great Falls Public School District Number 1.

From: Park and Recreation

Initiated By: Steve Herrig, Park and Recreation Director

Presented By: Steve Herrig, Park and Recreation Director

Action Requested: Conduct a public hearing and approve the Exchange Agreement Between the City of Great Falls and Great Falls Public School District Number 1.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/deny) the Exchange Agreement of City owned property located at Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite, Block 736 with Great Falls Public School District Number 1 owned property located at S2SWSW Sec 3 T20N R4E Mark 7B, and authorize the City Manager to execute the agreement.”
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote. The final approval of the sale will require 4/5 vote of the Commission.
-

Staff Recommendation: Staff recommends that the City Commission conduct a public hearing and approve the Exchange Agreement for property owned by the City, located at Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite, Block 736 and the property owned by the Great Falls Public School District Number 1 located at S2SWSW Sec 3 T20N R4E Mark 7B.

Summary: The City of Great Falls and the Great Falls Public Schools are interested in a land exchange that will be beneficial to both organizations. The City is authorized, pursuant to Sections 3.04.010 through 3.04.050 of the OCCGF, to exchange the City property for the District Property. The City property

includes Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite, Block 736. The District property is located at S2SW Sec 3 T20N R4E Mark 7B.

Background: The District will exchange a 10 acre parcel of land adjacent to the Seibel Soccer Park, referred to as the Loy land, for City property that includes the 6 most easterly lots of Kranz Park. Both properties have been valued to be like kind with equal or greater value of approximately \$150,000. The City and the School District accept such valuation and consideration.

On September 14, 2020, the Board of Trustees for the School District approved the property exchange of the Loy land and the portion of Kranz Park with the City of Great Falls. The exchange agreement was contingent upon approval of the City Commission. The District would use the portion of Kranz Park to enhance their parking needs at Great Falls High School.

The School District's land was considered as a potential site for the new Aim High Big Sky Recreation Center made possible by a partnership with the City of Great Falls, and the Department of Defense/Malmstrom Air Force Base through a Defense Community Infrastructure Program (DCIP) grant. On Tuesday, January 5, 2021, the City Commission conducted a work session regarding the new project. During that meeting, the Commission, by consensus, concurred that Lions Park was a more appropriate location to locate the facility. The site was recommended by MAFB, and has additional advantages over the other sites considered.

The relocation of the recreation/indoor pool facility has generated questions from Commissioners about the practicality of commencing with the land swap, when the City no longer has plans to use that location.

Staff supports the exchange for the following reasons:

1. The GFPS commenced the land swap process with the City in good faith. Staff believes the City should honor the District's efforts and complete the exchange.
2. There are concerns by residents about parking around Great Falls High School. The swap demonstrates a willingness of the City to assist the school district with addressing the problem, which from time to time, requires City intervention.
3. Even though the City will not immediately use the exchanged property, or even has specific plans for it at this time, staff encourages the Commission to consider future options for the site that are complementary to long range park plans.
 - a) As the City grows eastwardly, the area is underserved by park and green space.
 - b) Utilization of the existing soccer complex is considerable. It is easy to recognize need in the future for additional recreation space, practice and/or play fields.
4. The School District has been previously approached by other private parties interested in purchasing this property adjacent to the Great Falls Soccer Complex. If the property was sold and eventually developed, it is unlikely that the City would be able to acquire the parcel at a later date for expanded recreational opportunities as described above.
5. As indicated by the District, it does not have discretionary funds, other than the value of the property being swapped, to pay the City directly for the Kranz Park lots and commence parking area improvements.

Under the Agreement terms, the City and District agree to prorate taxes, special improvement assessments for the current tax year, permit fees, water and sewer charges, irrigation assessments, maintenance fees, and any other pre-paid charges concerning the respective properties, as are applicable as of the date of closing. The School District agrees that the City's Property shall be conveyed with the City retaining a right of reversion should such parcel ever cease to be used for public purposes, according to Section 3.04.050(A)(4) of the OCCGF. In the event that reversion to the City occurs, the District would be compensated the amount equal to the appraised value of the District Property at the time of reversion. The appraisal shall value the Property as if it were undeveloped and shall not include improvements to the Property in the appraised value. In the event of a reversion, the City and the District will equally share in the costs of the appraisal.

Fiscal Impact: Each party's Real Property that is subject to this Agreement has been valued to be of like kind with equal or greater value of approximately \$150,000. The City and District will be required to pay closing costs, including title insurance for the respective properties.

Alternatives:

1. Do not approve the land swap.
2. Consider directing staff to explore an agreement with GFPS that would allow them to use a portion of Kranz Park for parking (similar to prior efforts in 2018). Again, the District does not have disposable funds to compensate the City under an agreement and to complete the parking improvements at the location.

Concurrences: City of Great Falls staff, Great Falls Public School District Number 1 staff, and the Park and Recreation Advisory Board support the approval of the Exchange Agreement.

Attachments/Exhibits:

Exchange Agreement

Public comments for Kranz Park

EXCHANGE AGREEMENT

This Exchange Agreement (Agreement) is entered into by and between the City of Great Falls, a municipal corporation organized and existing under the laws of the State of Montana, of P.O. Box 5021, Great Falls, Montana 59403 (City), and Great Falls Public School District Number 1 and A, 1100 4th Street South, Great Falls, Montana, 59405 (District), and provides as follows:

RECITALS

1. The City is the owner of certain real property (City Property) in the City of Great Falls, which is described as follows:

Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite,
Block 736.

REF: Book 75, pages 283-284,

Generally depicted on Exhibit A, which is attached to and incorporated
into this Agreement.

2. The District is the owner of certain real property (District Property), which is described as follows:

S2SWSW Sec 3 T20N R4E Mark 7B

REF: Reel 42, Doc. 771,

Generally depicted on Exhibit B, which is attached to and incorporated
into this Agreement.

3. The City desires to obtain from the District, the District Property and the District desires to obtain from the City, the City Property.
4. The City is authorized pursuant to Sections 3.04.010 through 3.04.050 of the Official Code of the City of Great Falls (OCCGF) to exchange the City Property for the District Property and is agreeable to such exchange, subject to the terms and conditions of this Agreement.
5. The District has declared its property obsolete, undesirable, or unsuitable for the school purposes of the district, available to be sold and is thus authorized to exchange the District Property for the City's Property and is agreeable to such exchange, subject to the terms and conditions of this Agreement.

AGREEMENT

Now, therefore, for good and valuable consideration, the parties agree as follows:

1. Exchange.

- a. Upon the closing date set out in Section 3(a) of this Agreement, the City agrees to convey to District all of the City's interest in the City Property, together with easements and other appurtenances thereto.
- b. Upon the closing date set out in Section 3(a) of this Agreement, District agrees to convey to the City all of the District's interest in the District Property, together with all easements and other appurtenances thereto.

2. Consideration. Each party's Real Property that is subject to this Agreement has been valued to be like kind with equal or greater value of approximately \$150,000. Each party accepts such valuation and consideration.

3. Title Contingency. The parties' respective obligations to exchange are contingent upon their review and approval of a preliminary title commitment concerning the property which each party is to acquire under this Agreement. If either party's review of the preliminary title commitment for the property which it is to acquire discloses any condition that is unacceptable to such party, not including an interest or easement to be reserved under this Agreement or any encumbrances or liens to be discharged through the closing of the transaction anticipated herein, the objecting party shall give written notice of said condition to the other party on or before 30 days from the date the objecting party receives the preliminary title commitment. If a party fails to provide such notice to the other by such date, then this contingency shall be deemed waived by the party failing to give notice. Upon receipt of written notice of an unacceptable condition, the receiving party shall have 15 days to advise the objecting party in writing whether it will agree to remedy the noted condition. If the receiving party elects to remedy the objection, the transaction shall proceed to closing, however the receiving party shall have an additional 90 days from the specified closing date to affect the remedy, if necessary. If the receiving party elects not to remedy the objection, the parties' obligations to exchange shall be terminated and this Agreement will have no further force or effect.

4. Closing.

- a. *Date and Place of Closing.* The closing shall take place no later than 45 days following the execution of this Agreement by all parties at Chicago Title, 101 River Drive N., Great Falls, Montana 59401 (the Closing Agent). The parties shall deposit with the Closing Agent all monies and executed documents as necessary to complete the transaction as anticipated by this Agreement.
- b. *Closing Costs.* The parties agree to pay an equal share of all charges of the Closing Agent related to this Agreement. Each party shall pay the recording charges for the deed

to the property it is to receive, and for the costs of their respective real estate agents, attorneys, inspectors, or other representatives. Other closing costs shall be paid as otherwise set forth in this Agreement.

5. Prorations. The City and District agree to prorate taxes, special improvement assessments for the current tax year, permit fees, water and sewer charges, irrigation assessments, maintenance fees, and any other pre-paid charges concerning the respective properties, as are applicable, as of the date of closing. If the current year's taxes are not known, District and the City agree that the previous year's tax assessment or an estimated amount can be used to base the pro-ration.
6. Conveyance. Each party shall convey the Property each is to convey under this Agreement by Warranty Deed, free of all liens and encumbrances except those described in the title insurance commitment as approved by the other party, and as follows:
 - a. *Reversion*. District acknowledges and agrees that the City's Property shall be conveyed, with the City retaining a right of reversion should such parcel ever cease to be used for public purposes, according to Section 3.04.050 (A)(4) of the OCCGF.
 - b. *Consideration upon Reversion*. In the event that reversion to the City occurs under part 6.a. above, and only in that event, the City acknowledges and agrees that the District shall be compensated the amount equal to the appraised value of the District Property, at the time of the reversion. Said appraisal shall value the Property as if it were undeveloped, and shall not include improvements to the Property in the appraised value. In the event of reversion, and only in that event, the City and the District agree to equally share in all the costs of the appraisal.
7. Title Insurance. Each party shall purchase for the benefit of the other party an American Land Title Association (ALTA) Standard Coverage Owners Title Insurance Policy (as evidenced by a standard form ALTA title insurance commitment) in an amount equal to the value of the property it will convey to the other.
8. Possession and Risk of Loss. Each party shall deliver possession and occupancy of the property it is to convey to the other party upon the closing date, after all exchange documents are delivered. All loss or damage to any of the property, subject of this Agreement, by any cause is assumed by the respective owners of the property through the time of closing, unless otherwise specified.
9. Environmental Laws. The term "Environmental Laws" shall be defined as any statute, regulation, ordinance or policy issued by any governmental authority, whether federal, state, county or local, that pertains to the environment or to public health, including but not limited to PCB leaks. Subject to the limitations of Mont. Code Ann. §2-9-108, each party agrees to indemnify, defend and hold the other harmless from and against any and all claims, including demands, damages, liabilities and costs, actions, orders, expenses, settlements, fines, penalties, attorneys' fees, expert witnesses and consultants, and other litigation expenses arising out of a breach or violation of any Environmental Law in any way connected with, each party's use and or occupation of its Real Property prior to closing. This indemnification

shall survive the end of this Agreement and shall inure to the benefit of each party, its representatives, successors, agents and assigns.

10. Disclosures

- a. *Megan's Law*. In accordance with Title 46, Chapter 23, Part 5 of the Montana Code Annotated certain individuals are required to register their address with local law enforcement agencies as part of Montana's Sexual or Violent Offender Registration Act. Information may be obtained on these registrations by contacting the local county sheriff's office, the Montana Department of Justice in Helena, Montana, and probation officers assigned to the area.
- b. *Noxious Weeds*. Each party represents to the other that noxious weeds exist or may exist on the property that is the subject of this Agreement. Each party further notifies the other that it is unlawful for any person to permit any noxious weed to propagate or go to seed on the person's land, except that any person who adheres to the noxious weed management program of the person's weed management district or who has entered into and is in compliance with a noxious weed management agreement is considered in compliance with the law.
- c. *Water Right Ownership Update Disclosure*. By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with § 85-2-424, MCA, could result in a penalty against the transferee and rejection of the deed for recording.

11. Entire Agreement and Modifications. This Agreement supersedes all prior agreements, contracts, and understandings between the parties. It may not be modified or terminated orally. No modification, termination, or attempted waiver shall be valid unless in writing signed by the party against whom the same is sought to be enforced.

12. Time. Time is of the essence in this Agreement and all clauses herein. Provided, that in the event an act is required to occur upon a Saturday, Sunday, or Legal Holiday, that said act may be performed on the next business day.

13. Assignment. This Agreement is binding upon the parties, their respective representatives, agents, successors, and assigns.

14. Remedies.

- a. *District's Remedies*. If the City refuses or neglects to consummate the transaction within the time period provided in this Agreement, District may demand that the City

specifically perform the City's obligations under this Agreement, or demand monetary damages from the City for the City's failure to perform the terms of this Agreement.

- b. *City's Remedies.* If District refuses or neglects to consummate the transaction within the time period provided in this Agreement, the City may demand that District specifically perform District's obligations under this Agreement, or demand that District pay monetary damages for District's failure to perform the terms of this Agreement.

15. Controlling Law. This Agreement shall be interpreted under the laws of the State of Montana.

16. Interpretation. This Agreement has been reviewed by both parties, each of whom has had the opportunity to consult with independent counsel regarding it and has done so to the extent that such party desired. No stricter construction or interpretation of the terms hereof shall be applied against either party as the drafter hereof.

17. Electronic and Counterparts. The parties agree that an electronic copy, which contains the parties' respective signatures, shall be considered an original. Further, this Agreement may be executed in counterparts, each of which when taken together shall constitute a fully executed Agreement.

DATED this ____ day of _____, 2020.

CITY OF GREAT FALLS, MONTANA

By _____
Gregory T. Doyon, City Manager

ATTEST:

(Seal of the City)

Lisa Kunz, City Clerk

APPROVED AS TO FORM:

By _____

Sara R. Sexe, City Attorney

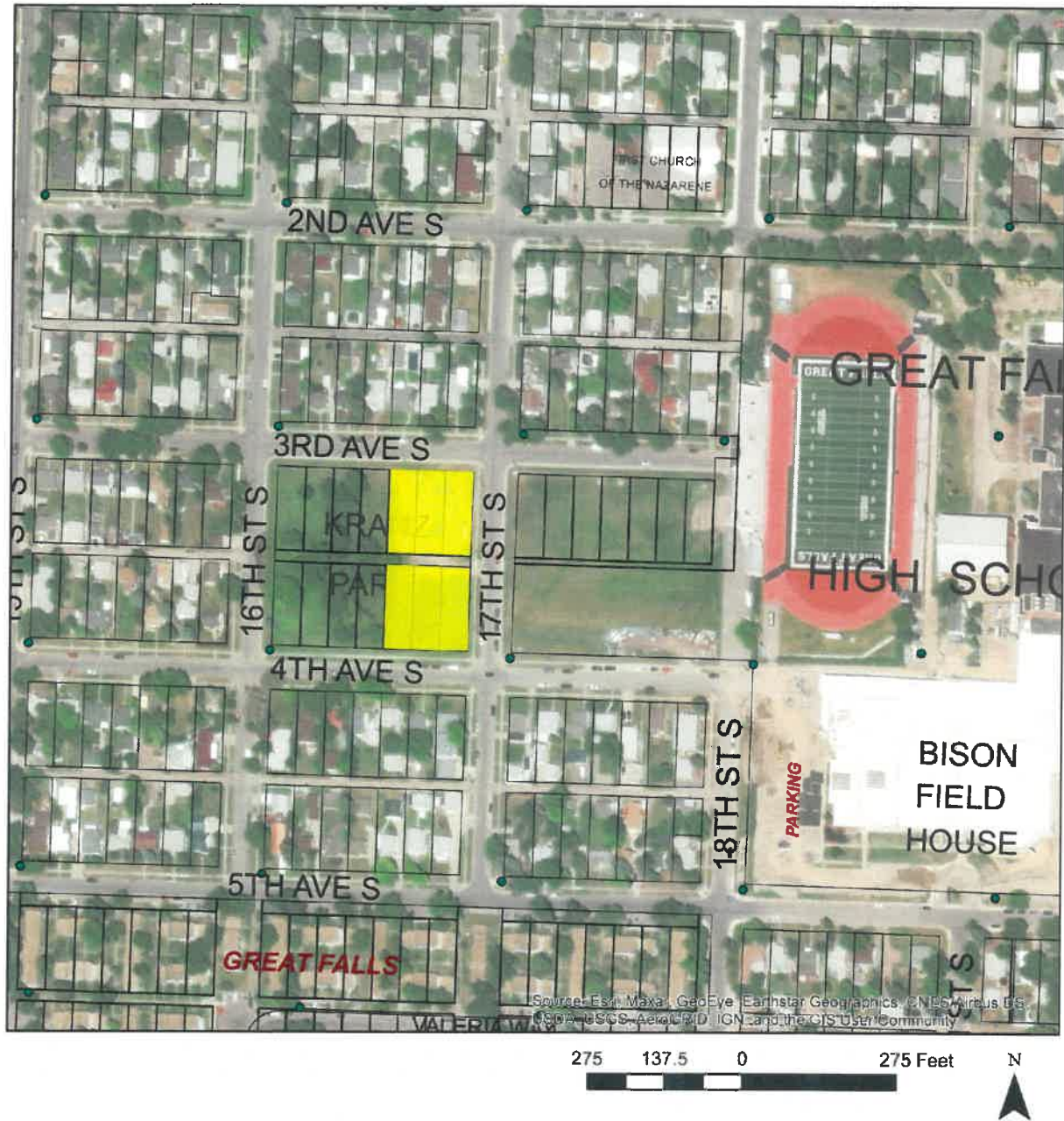
GREAT FALLS PUBLIC SCHOOLS, District No. 1

By Brian Patrick
Print Name Brian Patrick
Print Title Director of Business Operations

APPROVED AS TO FORM:

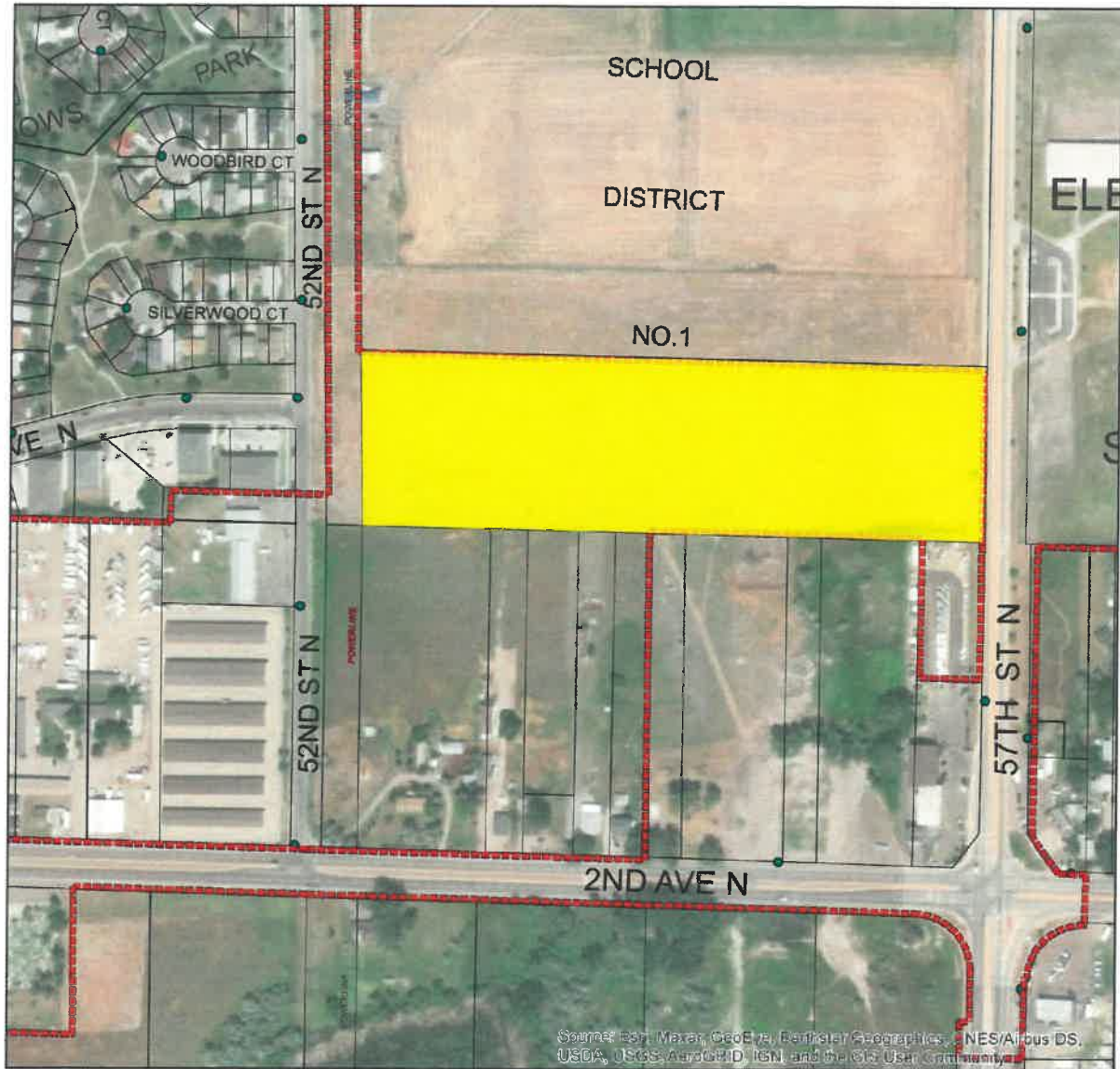
By Jean E. Faure
Jean E. Faure, ~~City Attorney~~ Attorney for GFPS

EXHIBIT "A"



City Real Property

EXHIBIT "B"



 District Real Property

From: [Lisa C. Kunz](#)
To: [Bob Kelly](#); [Mary Sheehy Moe](#); [Owen Robinson](#); [Rick Tryon](#); [Tracy Houck](#)
Cc: [Krista Artis](#); [Greg Doyon](#); [Charles Anderson](#); [Steve Herrig](#)
Subject: FW: Kranz Park
Date: Monday, December 14, 2020 3:26:17 PM
Attachments: [Scan 2020-12-14 15.03.10.pdf](#)

Good Afternoon – see comments below and attached letter from Cheryl Reichert for consideration – Agenda Item 10.

Lisa

City Clerk/Records Manager
 406.455.8451

From: Lisa C. Kunz
Sent: Monday, December 14, 2020 3:25 PM
To: 'cheryl reichert' <montanapathdoc@gmail.com>
Subject: RE: Kranz Park

Good Afternoon – thank you for your comments, Cheryl, that will be shared with the City Commission and appropriate staff for consideration during Item 10 on tomorrow evening's agenda.

Best,

Lisa Kunz

City Clerk/Records Manager
 City of Great Falls
 P.O. Box 5021
 Great Falls, MT 59403
 406.455.8451

From: cheryl reichert <montanapathdoc@gmail.com>
Sent: Monday, December 14, 2020 3:20 PM
To: commission <commission@greatfallsmt.net>
Subject: Kranz Park

To whom it may concern:

Please distribute my letter about Kranz Park to the Mayor and City Commissioners. It is my understanding that City Commissioners are set to consider during their Dec. 15 meeting a public hearing for Jan. 5 for the exchange of city owned property in Kranz Park with property owned by Great Falls Public Schools near Loy Elementary. Incredulously, the school district wants to pave Kranz Park to create more parking.

Thank you in advance for your assistance.

Cheryl Reichert
51 Prospect Drive
Great Falls, MT 59405



DR. CHERYL REICHERT M.D., PH.D.

Pathologist • 51 Prospect Drive

Great Falls, MT 59405

Home Phone (406) 727-1964

Dec. 14, 2020

Mayor Bill Kelly and City Commissioners
City of Great Falls

re: Kranz Park

Dear Mayor Kelly and City Commissioners:

Please do not sacrifice Kranz Park. This modest little jewel of a park is located in the neighborhood where I grew up. My mother, Arlyne Reichert, still lives a block and a half away from Kranz Park. Just this past week the two of us took a slow walk around that park with its huge old trees, mother with her cane and me with my dog. We didn't go for a walk around block of residences! We went for a walk around the Park, and I submit there is a big difference, despite both having the same number of steps.

Several years ago I was sad to see the Kranz tennis courts sacrificed for a construction parking lot, but I accepted that without protest because I know city budgets are tight and tennis courts are expensive to maintain, and not that many folks play tennis anymore. But maintaining an already established park is another matter.

It is a credit to Paris Gibson's vision that he recognized the value of parks. Parks are part of what makes Great Falls such a great place to live, and why I enthusiastically endorsed the recent park levy. I visit one of the three urban parks near by my current home virtually every day without exception. Odd fellows, Warden and Verde Park are all within easy walking distance of my home. They help me to maintain my sanity, especially during these challenging times. In contrast, there are not near so many options for families living in my old neighborhood near Kranz Park.

Big cities have become "inside out" with so much concrete and asphalt that people turn to indoor plants and rooftop gardens to try to maintain a connection to nature. These places, too, once had green space that was irrevocably lost to so-called progress.

I also note that the original rationale for disposing of Kranz Park is evolving as the city re-evaluates the location of a new Aquatics Center. I do hope that now give a second chance the aquatics facility will be put closer to the heart of the city where it can more easily be accessed by townspeople. I learned to swim at the Natatorium, and I also mourn its loss. During junior high after swimming lessons I walked back to the school with teeth chattering in the middle of winter. I can assure you that in winter folks are not going to take a bus back and forth to an aquatics center that is located at the outskirts of town. An indoor pool is needed most in winter time. Virtually everyone stationed at MAFB has a vehicle. However, many folks in town do not have that option, either by budget, age, or infirmity.

Please table the Kranz Park issue. Please locate a new aquatic center closer to the townspeople. This and future generations will thank you.

Sincerely yours,

Cheryl Reichert

From: [Lisa C. Kunz](#)
To: [Bob Kelly](#); [Mary Sheehy Moe](#); [Owen Robinson](#); [Rick Tryon](#); [Tracy Houck](#)
Cc: [Greg Doyon](#); [Charles Anderson](#); [Krista Artis](#); [Steve Herrig](#)
Subject: FW: Agenda Item #10
Date: Tuesday, December 15, 2020 9:40:46 AM

See comments below from Carolyn Craven for consideration of agenda item 10 on this evening's Commission meeting agenda.

Lisa Kunz
 City Clerk/Records Manager
 406.455.8451

From: Lisa C. Kunz
Sent: Tuesday, December 15, 2020 9:33 AM
To: 'Carolyn Craven' <lifeisgood4us@xmailpost.com>
Subject: RE: Agenda Item #10

Good Morning Carolyn –

Thank you for your comments that will be shared with the commission and appropriate staff for consideration of agenda item 10 on this evening's Commission meeting agenda.

Best,

Lisa Kunz
 City Clerk/Records Manager
 City of Great Falls
 P.O. Box 5021
 Great Falls, MT 59403
 406.455.8451

From: Carolyn Craven <lifeisgood4us@xmailpost.com>
Sent: Monday, December 14, 2020 10:43 PM
To: commission <commission@greatfallsmt.net>
Subject: Agenda Item #10

Greetings,

Is #10 on the agenda about the trade of two properties related to having a swimming center near Malmstrom? I have not followed this well but remember reading something about it. I believe one of the properties is a park and, if so, I would like more information about what would be involved in the trade and if any changes would be made to the existing park or if that would be up to the new owner.

If I am correct about this item, there is a note to decide whether or not to have a public hearing.

I am requesting a public hearing if this agenda item involves a park being traded for another property.

I look forward to your response.

Thank you,

Carolyn Craven

Great Falls

406-868-4263

lifeisgood4us@xmailpost.com

Carolyn K. Craven
101 14th Avenue South
Great Falls, MT 59405

December 15, 2020

CITIZEN REQUEST

Mayor Kelly
Commissioner Houck
Commissioner Moe
Commissioner Robinson
Commissioner Tryon

RE: Agenda Item #10 December 15, 2020

Exchange Agreement between City of Great Falls and Great Falls Public School District Number 1. Action: Set or not set a public hearing on the Exchange Agreement of City owned property located at Lots 5-10 in the Tenth Addition to the Great Falls Original Townsite, Block 736 with Great Falls Public School District Number 1 owned property located at S2SWSW Sec 3 T20N R4E Mark 7B for January 5, 2021. (Presented by Steve Herrig)

Honorable Mayor and Commissioners:

I respectfully urge you to vote for a public hearing on this issue, as recommended by your staff. There is an abundance of evidence-based literature on the benefits of parks in urban communities that merit public comments. Kranz Park is a well-established park, valued and used by many residents of Great Falls.

Additionally, there are likely better land options than the property closer to Malmstrom. The aquatic facility is important to many citizens in Great Falls who may find the proposed location near Malmstrom to be very inconvenient to access. Great Falls has an older population and Malmstrom has a younger population, so Malmstrom users would far less inconvenienced by a location farther away. Please consider the citizens and taxpayers in the city of Great Falls for the new aquatic facility.

Respectfully submitted,



Carolyn K. Craven

Lisa C. Kunz

From: cheryl reichert <montanapathdoc@gmail.com>
Sent: Thursday, January 7, 2021 1:56 PM
To: Lisa C. Kunz
Subject: Kranz Park, further research, part 1
Attachments: Reichert, Kranz Park Jan. 2021.pdf

Hello City Clerk Lisa,

Could you please share my most recent research and comments about Kranz Park with the City Commission?

Is it possible for you to also share it with Director Steve Herrig and his staff, or would it be better for me to sent it via a separate email to Parks and Recreation?

I do plan to independently contact the Great Falls Public School Administration and Board of Trustees.

It is my understanding that this item will be on the Agenda for the City Commission meeting on Jan. 19.

Thanks for all that you do for our community.

Stay safe,

Cheryl Reichert
51 Prospect Drive
Great Falls, MT 59405
landline: 727-1964



DR. CHERYL REICHERT M.D., PH.D.

Pathologist • 51 Prospect Drive
Great Falls, MT 59405
Home Phone (406) 727-1964

Jan. 7, 2020

City Commission
Great Falls, Montana

Mr. T. Moore, Superintendent and Mr. J. Cahill, Trustee Chair & Members of the Public School Board

Director Steve Herrig & Staff, Great Falls Parks and Recreation Dept.

re: KRANZ Park (Fourth Avenue South & 16th Street)

To whom it may concern:

Last month I wrote to the City Commission with a plea not to sacrifice a big segment of Kranz Park in order to build a parking lot (see attached). Since that time I have done a bit more research, obtained photographs, and spoken by phone with Neighborhood Council 9 President Barney Danishefsky. This is the park in the neighborhood where I grew up and where my 94 yo mother continues to reside. With her cane or trusty walker, Mother and I still take periodic strolls around the perimeter of this park. During my recent visits I have frequently encountered other users, all of whom were older single adults playing with their dogs. None of these other users had a clue that they were about to lose 1/3 of their beloved neighborhood park.

I learned that Mr. Danishefsky has been working tirelessly to try to raise enough money to install children's playground equipment in Kranz Park. The equipment apparently has already been purchased but not installed due to insufficient funds. To his great credit Mr. Danishefsky saw an opportunity to access funds to install the playground equipment by trading off a portion of the park land to the School District to build a parking lot and in order to facilitate acquisition of land near a proposed Aquatics Center. However, this rationale has evaporated now that the Aquatics Center appears (happily) destined for the more centrally located Lions Park.

Furthermore, a parking lot for GFHS replacing the east end of Kranz Park is not currently needed when large numbers of high school students are engaged in remote learning. Attached photos taken on Jan. 4 demonstrate the complete absence of cars parked around or even near the Kranz Park, while showing the parking utilized adjacent to the GFHS CTE Oakland Center. Post-COVID most folks wonder if all students will EVER simultaneously return to exclusive classroom learning. Even if they were, it is doubtful that an extra parking lot at Kranz Park would be voluntarily used, as it is too great a distance from the school. Even before Covid (except during football games or track meets) cars from the high school were not parked around the perimeter of Kranz

Park. The residential homes on 3 sides of Kranz Park have no purple-painted curbs indicating residential parking restrictions, suggesting that extra parking at this location is a solution in search of a problem.

Mr. Danishefsky's noteworthy but tortuous solution to fund installation of playground equipment by selling off the east end of the Park reminds me of the parable of Della, who sold her hair to buy a pocket watch chain for her husband, only to discover that he sold his watch to buy ornamental combs for her hair. I note that Kranz park is the only south side park centered in an area more than 100 city blocks. I can't help but wonder if paving over part of a park could happen in the Meadowlark/Fox Farm neighborhood.

The leveled treeless area of the old tennis courts would be an ideal location for playground equipment rather than the proposed GFHS parking lot. Installing playground equipment in the center of Kranz Park as currently planned would interfere with the park's many other uses, including tossing frisbees, dog retrieval training and seeking peace and quietude amongst the stately old trees.

The Great Falls Parks & Recreation Master Plan has placed a very high priority on recreational opportunities for our community's growing population of aging adults. Judging from my episodic walks around Kranz Park and my firsthand observation of my mother's neighborhood of mostly 55 yo plus residents, this is the primary demographic sector surrounding Kranz Park. I call upon the Parks Department to defend all those adults who would be most impacted by a permanent loss of park land.

It is a credit to Paris Gibson's vision that he recognized the value of parks. Parks are part of what makes Great Falls such a great place to live, and why I enthusiastically endorsed the recent park levy. Hopefully the installation of playground equipment on the treeless east end of Kranz Park will become a city budget priority in 2021, so that park land will not have to be sold as a bargaining chip.

Please table the idea of a building a large parking lot in Kranz Park when this issue comes before the City Commission on Jan. 19. At the very least, please circulate informational flyers to homes within the 100 city block area that will be most impacted to obtain input from other informed citizens before such an irrevocable move is made. Thank you for your consideration.

Sincerely yours,



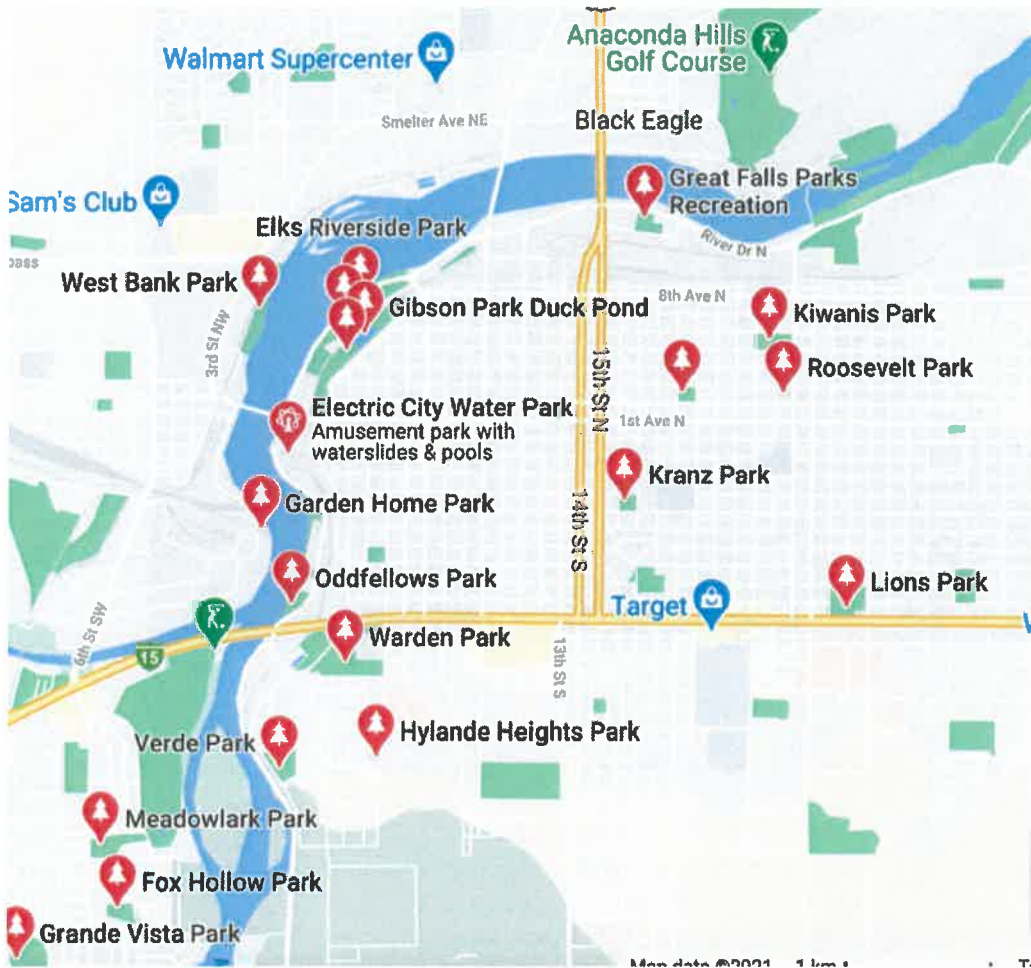
Cheryl Reichert, MD, PhD

encl: map of City Parks, 3 photos, and copy of my letter of Dec. 14, 2020

copy: Mr. Barney Danishefsky, President, Neighborhood Council 9

Lisa C. Kunz

From: cheryl reichert <montanapathdoc@gmail.com>
Sent: Thursday, January 7, 2021 2:00 PM
To: Lisa C. Kunz
Subject: Kranz Park, part 2, supplemental attachments











Commission Meeting Date: January 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Construction Contract Award: Central Montana Agriculture and Technology Park (CMATP) TIF Phase IV Storm Drain, O.F. 1658.1.

From: Engineering Division

Initiated By: Public Works Department

Presented By: Paul Skubinna, P.E., Public Works Director

Action Requested: Consider Bids and Approve Contract.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (award/not award) a contract in the amount of \$369,182.50 to Shumaker Trucking & Excavating Contractors, Inc., for the Central Montana Agriculture and Technology Park (CMATP) TIF Phase IV Storm Drain, and authorize the City Manager to execute the construction contract documents.”

2. Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

Staff Recommendation: Approve construction contract award.

Summary:

As part of the Capital Improvement Plan for the Central Montana Agri-Tech Park (CMATP) the City has been working with Thomas Dean & Hoskins, Inc. (TD&H) to complete the final design and contract documents for the drainage channel restoration east of Black Eagle road as the last component of the CMATP storm drainage network. The channel is located in a stratum of highly erodible fat clay. The culvert outlet has failed in the past with the flared end terminal section falling off due to undercutting. Directly downstream of the culvert, the channel has been repaired repeatedly in the past through backfilling soil, riprap, and other materials. However, the channel continues to erode.

The proposed project is being implemented to stabilize the culvert outlet and install energy dissipation which will reduce the velocity of the water exiting the culvert. The project will also restore the drainage channel natural vegetative state similar to pre-development conditions.

Background:Workload Impacts:

Design phase engineering plans and specifications were completed by Thomas Dean & Hoskins, Inc. (TD&H) with assistance from City Engineering staff and the City Utilities Division. City Engineering staff will provide construction phase engineering services and project inspection.

Citizen Participation:

City Engineering Staff with assistance from Planning and Development Staff worked with Dali LLC., the landowner, to obtain both temporary construction and permanent utility easements.

Purpose:

The purpose of this phase of the project is to implement the culvert stabilization and channel restoration improvements that were recommended in the February 2020 CMATP TIF Phase III Storm Drain Eroded Drainage Evaluation prepared by TD&H.

Project Work Scope:

Work to be performed under this contract includes the following: Culvert repairs including the removal and replacement of the end section and barrel; install reinforced concrete cutoff wall with weep holes, install riprap apron with separation geotextile, drainage channel restoration, seeding and revegetation, and installing erosion control mat and fiber rolls.

Evaluation and Selection Process:

The specifications were advertised three times in the Great Falls Tribune. Six bids were received on January 6, 2021 ranging from \$369,182.50 to \$560,770.00. Shumaker Trucking & Excavating Contractors, Inc., submitted the lowest responsible bid.

Conclusion:

City staff recommends awarding the contract to Shumaker Trucking & Excavating Contractors, Inc., in the amount of \$369,182.50.

Fiscal Impact:

The attached bid tabulation summarizes bids that were received. CMATP Tax Increment Funding has been allocated to fund the costs of this project.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid or cancel the project. This action would result in delaying the restoration project leading to greater channel erosion and increasing costs for the proposed project.

Concurrences:

City Engineering staff, and Utilities Division recommend award of the bid.

Attachments/Exhibits:

Bid tabulation

Vicinity Map

SHORT FORM BID TAB FOR: CMATP TIF Phase IV Drainage Improvements O.F. 1658.1**BID OPENING:** January 6, 2021 3:00pm

CONTRACTOR NAME & ADDRESS	ADD #1	10% Bid Bond	Certificate of Non-segregated Facilities	Certificate of Compliance w/Insurance	TOTAL BASE BID
Ed Boland Construction 4701 N. Star Blvd Great Falls, MT 59405					
MRTE, Inc. PO Box 538 Black Eagle, MT 59414	X	X	X	X	\$468,503.75
M&D Construction 4415 18 th Avenue N. Great Falls, MT 59405	X	X	X	X	\$431,425.00
Shumaker Trucking & Excavating 3501 Old Havre Hwy Great Falls, MT 59404	X	X	X	X	\$369,182.50*
Central Excavation 3701 River Drive N Great Falls, MT 59405	X	X	X	X	\$442,293.00
United Materials 2100 9 th Ave N Great Falls, MT 59401	X	X	X	X	\$486,182.50
Kuglin Construction PO Box 491 Black Eagle, MT 59414	X	X	X	X	\$559,970.00*

*Math errors were corrected during bid tabulation.

J:\2020\20-054 CMATP TIF Ph IV Drain Impr\DOCUMENTS\BIDDING\20-054 CMATP BIDTAB Shrt Form.doc

1658.1 CMATP STORM DRAIN PHASE IV

