

JOURNAL OF COMMISSION PROCEEDINGS

April 17, 2018

Regular City Commission Meeting
Commission Chambers Room 206

CALL TO ORDER 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

City Commission members present: Bob Kelly, Bill Bronson, Mary Sheehy Moe, and Owen Robinson. Commissioner Tracy Houck was excused. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; Fire Chief Steve Hester; Assistant City Attorney Joe Cik; and, Police Captain Jeff Newton.

AGENDA APPROVAL

City Manager Greg Doyon reported that the word timeliness was corrected on page 2 of the April 9th Special Commission Minutes. The revised agenda was approved as presented.

CONFLICT DISCLOSURE/ EX PARTE COMMUNICATIONS

Commissioner Bronson reported that he would be abstaining from the discussion and vote on Agenda item 13.

PROCLAMATIONS

Commendation and Appreciation to Katrina Roberts, Earth Day, and Arbor Day.

PRESENTATION

Lincoln Student Leaders

PETITIONS AND COMMUNICATIONS

1. Miscellaneous reports and announcements.

Richard Liebert, 289 Boston Coulee Road, commented that it is tremendous having students interested and participating in the Montana Science Fair. Mr. Liebert announced that he is the chairperson for KGPR Montana Public Radio Association. He commented that the station is a unique community asset, and that there are board member positions available.

John Hubbard, 615 7th Avenue South, referred to the proposed Park Maintenance District, and expressed concern with the possibility of assessment amounts being established annually.

NEIGHBORHOOD COUNCILS

2. **Miscellaneous reports and announcements from Neighborhood Councils.**

None

BOARDS AND COMMISSIONS

3. **Miscellaneous reports and announcements from Boards and Commissions.**

Mayor Kelly announced that there are open positions on the Library Board and other Advisory Boards listed on the City website.

CITY MANAGER

4. **Miscellaneous reports and announcements from the City Manager.**

City Manager Greg Doyon expressed appreciation to Officer Cory Reeves for the opportunity to tour Great Falls High School, and for pointing out security concerns, as well as security measures that are in place.

Manager Doyon participated in an employer orientation which gave an opportunity to visit with new employees.

Manager Doyon commended Park and Recreation Deputy Director Patty Rearden with regard to her responses to questions at a Park Maintenance District meeting. He reported that there is another Town Hall meeting on April 26 in the Gibson Room at the Civic Center at 5:30 p.m.

Manager Doyon reported that he attended a promotional ceremony at the Fire Department on April 17th.

There was a quarterly meeting with Public Works with regard to the MS4 process, which is the storm sewer system and upgrades that are required. Various staff participated in the review in order to assist with developing new regulations to meet the requirements as imposed by the Federal Government.

Manager Doyon reported that he attended a Senior Advisory Committee meeting in Helena, which is a part of the State of Emergency Response Commission. The purpose of the meeting was to review applications for the Homeland Security Funds.

There have been Preliminary Budget reviews with departments to discuss concepts and ideas.

Manager Doyon thanked the Commission for attending the Special Work Session for a preliminary discussion on the Commission budget.

Manager Doyon commended the Police Department for its quick response with regard

to a robbery at Stockman Bank.

Manager Doyon inquired if there was a consensus of the Commission whether or not to proceed with the architectural review of the potential conversion of the Missouri Room into office space.

Manager Doyon reported that the City-County Joint Work Session was productive, and that there is a good partnership between the City and County.

Manager Doyon referred to Mr. Neil Fortier's concerns with the development process from the April 3 Commission meeting, and he requested that Planning and Community Development Director Craig Raymond and Fire Chief Steve Hester explain the issues that the City faces with development.

Planning and Community Development Director Craig Raymond explained that Mr. Fortier's primary issues were public safety, response time, standards for emergency vehicle access during construction, and storm water.

Director Raymond further explained that the City is actively working on several projects at one time, and does its best to facilitate a project and ensure public safety. There was a recent mandate which requires improving the development process in order to perform at a higher level, be more efficient, effective and consistent. The City is taking steps to provide a better customer experience; however, the developers would need to operate at a higher level as well.

Fire Chief Hester explained that the goal of the Fire Department is to respond to a location safely and in a timely manner. However, there are a variety of reasons why response times could be delayed. During construction it may be more difficult getting the vehicles and equipment close to the development. He further explained that there is a greater chance of fires during new construction of a development.

Commissioner Moe commented that the Missouri Room is the "jewel" of the Civic Center. She expressed hesitation with regard to turning it into office space. However, she would be willing to look at the architectural designs.

Commissioner Moe further commented that she hoped Mr. Fortier was notified that the development process would be discussed at this meeting. She believes staff has provided answers with regard to the remarks made by Mr. Fortier. She pointed out that NeighborWorks Great Falls has been a good partner with the City on many projects.

Manager Doyon replied that Mr. Fortier was not directly notified. However, staff could educate the Commission and community about issues raised at the April 3rd Commission meeting.

Referring to the space needs in the Civic Center, Manager Doyon explained that in the absence of another space that is in proximity to the Civic Center, the Civic Center needs to be looked into. He further explained that the Missouri Room is one of the least utilized rooms in the building. There is a need for additional space for the Court, and several departments don't have their staff directly within the department.

Commissioner Robinson commented that looking at the Missouri Room for office space and allowing as much historical preservation as possible would make the City more efficient.

Commissioner Bronson concurred with Commissioner Moe's comments regarding the use of the Missouri Room for office space. He is willing to look into the design phase, and decide from that point whether it is appropriate to proceed.

Commissioner Bronson commended staff for their efforts in determining what the best way to work with developers would be. Commissioner Bronson mentioned that the City is not only trying to protect this community, but the development community as well.

CONSENT AGENDA

5. Minutes, April 3, 2018, Commission Meeting.
6. Minutes, April 9, 2018, Special Commission Meeting.
7. Total Expenditures of \$1,441,289 for the period of March 15, 2018 through April 4, 2018, to include claims over \$5,000, in the amount of \$1,175,106.
8. Contracts List.
9. Award a contract in the amount of \$346,670.00 to Kuglin Construction for the ADA Handicap Ramps 4th Street NE, 6th Street NE and 6th Avenue South, and authorize the City Manager to execute the construction contract documents. **OF 1730.2**
10. Award a contract in the amount of \$1,895,760.00 to United Materials of Great Falls, Inc. for the Lower Southside Water Main Replacement – Phase III, and authorize the City Manager to execute the construction contract documents. **OF 1465.2**
11. Reject Bid for Firefighter Physicals.

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission approve the Consent Agenda as presented.

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

Motion carried 4-0

PUBLIC HEARINGS

12. **CDBG & HOME Grant / Community Needs Public Hearing related to the 2018/2019 funding cycle.**

Planning and Community Development Director Craig Raymond reported that this is an opportunity for the community to provide testimony. The Commission will not take action as the information being gathered will be compiled by staff and brought to the Commission at a future Commission meeting.

Staff has placed a much greater emphasis on community outreach this year in a number of ways:

- A survey was widely distributed around the community and circulated to many of the customary agencies which have been traditional community partners as well as other agencies that may not have traditionally been targeted.
- Attendance at each Neighborhood Council to educate them on changes to the program and seeking feedback.
- Facilitating focus groups to conduct exercises designed to produce feedback on funding priorities as well as programmatic policies.
- Discussions with City Departments on needs.

As part of the City's obligation as recipients of CDBG monies, this hearing is required in order to provide an opportunity for the community to express to the Commission and staff what needs exist in the community that the City may address through the CDBG program. This information is important to consider when the Commission makes decisions on funding priorities.

Mayor Kelly declared the public hearing open.

Shyla Patera, 1013 7th Avenue NW, expressed support of home funding for building affordable and accessible housing, as well as renovating existing housing. She expressed concern with regard to determining which needs are going to be the highest priority if the applications are rolling.

Susan Wolff, 3305 Arbor Way, commented that economic development is the root cause of housing needs. She discussed ways to address housing needs.

Jennifer Fines, Habitat for Humanity, 905 1st Avenue North, commented that it is important having the City's support and funding to help reduce the overall cost keeping Habitat for Humanity homes affordable.

Lillian Sunwall, Great Falls Development Authority (GFDA), 709 2nd Avenue North, discussed the need for better paying jobs in the community.

Linda Daggett, 415 6th Avenue South, commented that providing CDBG funds for new construction is important.

Gordon Whirry, 1912 4th Avenue North, expresses support with regard to affordable housing programs.

Sherrie Arey, NeighborWorks Great Falls, 509 1st Avenue South, discussed the importance of keeping blight housing out of the original townsite.

Karen Nebel, 3900 15th Avenue South, discussed the importance that CDBG funding has to first generation homeowners who go through Neighborworks.

Sheila Rice, 913 3rd Avenue North, discussed the difference between CDBG and HOME funds, as well as advantages to reconstruction verses new construction. She further commented that a subsidy would be needed for the Rocky Mountain Building.

Raegen Breeden, 28 46th Street South, commented that the support of CDBG funds would help child care facility programs.

Jennifer Moore, 504 23rd Street NE, Black Eagle, commented that CDBG funding would help provide opportunities to early childhood educators.

Written correspondence was received from **Kim Thiel-Schaaf**, Aging Services, 1801 Benefis Court, supporting services to elderly home bound residents such as meals, caregiver support and light housekeeping; **Joan Redeen**, Great Falls Business Improvement District, 13 5th Street North, supporting new construction as an available option for CDBG funding; and **Mary Lynne Billy**, Indian Family Health Clinic (IFHC), 1220 Central Avenue, supporting the use of CDBG funds for the continuation of services for the IFHC.

There being no one further to address the Commission, Mayor Kelly closed the public hearing.

A recess was called at 8:46 p.m.; the meeting resumed at 8:52 p.m.

OLD BUSINESS

13. Annexation Improvement Agreement for the Rockcross Commons development project.

Community and Development Director Craig Raymond reported that this item is to approve the submitted annexation improvement for the Rockcross Commons project. The Rockcross Commons development project involves the construction of 124 multifamily dwelling units on Lot 4A of the Medical Tech Park Minor Subdivision. The project has already received annexation, zoning, and subdivision approval from the Planning Advisory Board and City Commission. Additionally, the City's Design Review Board approved the project at its February 12 public meeting.

In association with the Rockcross Commons apartment project brought forward by NeighborWorks Great Falls, an Annexation Improvement Agreement was considered in the Planning Advisory Board and Commission's decision to approve annexation, zoning, and subdivision for the project on December 5, 2017. At that time, it was understood that the Agreement provided would need to be updated to cover two issues: 1) the submission and review of final stormwater infrastructure plans, and 2) the addition of a small amount of adjoining property that was acquired by the applicant to facilitate the construction and dedication of 23rd Street South.

The submitted Annexation Improvement Agreement has been under discussion for about six months, and all parties including Legal, Public Works, Planning and Community Development, as well as the applicant are in agreement with all provisions. The agreement binds the applicant to constructing new public streets, sidewalks, boulevard trees, and all required utilities. This includes oversized and looped water main service, and off-site upgrades to the City's stormwater system underneath 23rd Street South.

The agreement also addresses stormwater and park fees owed to the City as a requirement of the

annexation request. The Annexation Improvement Agreement protects the interests of the City, applicant, and affected owners both in the present and in the future after the development is constructed.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission approve the Annexation Improvement Agreement for the Rockcross Commons development project.

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

Motion carried 3-0-1 (Commissioner Bronson abstaining)

NEW BUSINESS

14. 2018/2019 Community Development Block Grant (CDBG) Policies and Funding Priorities.

Planning and Community Development Director Craig Raymond reported that this item is to adopt Community Development Block Grant policies for the coming grant cycle, and also to adopt the Citizen Participation Plan.

Staff has been communicating the need to change programmatic policies and procedures as a result of the U.S. Department of Housing and Urban Development (HUD) findings subsequent to audits that were conducted as a result of conflict of issue questions and complaints. From the outset, staff has taken these concerns seriously and are proposing dramatic changes to the program to address these concerns as well as address suggestions received from the community and partners over the years to make this a better and more effective program that can provide a bigger impact in key identified high priority areas. Key policy changes include the following:

1. Greater emphasis on obtaining community input for proposed funding goals through comprehensive surveying and outreach.
2. Commission adoption of program funding goals and allocation percentages rather than consideration and acceptance of individual projects.
3. Staff evaluation of funding applications rather than project evaluation by a Community Development Council (CDC).
4. Year-round review of funding applications to replace the compressed timeline previously used for evaluating project applications.
5. Staff administration of economic development and housing loan requests to replace the Great Falls Development Authority and NeighborWorks Great Falls administration of such programs. Loan applications would still be reviewed by third party loan boards leveraging their respective subject expertise.
6. Elimination of Public Facility funding requests from non-profits in favor of City applications of such requests.

7. City administration of the Revolving Loan Fund Program to replace NeighborWorks Great Falls.

The Citizen Participation Plan document outlines the program requirements for ensuring that the citizens of Great Falls are informed about all aspects of the CDBG and HOME program. In particular, the Plan must provide for involvement of those citizens that will be most impacted by the program - low to moderate income citizens.

Additionally, the Plan requires the City to make every reasonable effort to consult with public, private and non-profit agencies that provide service to low to moderate income residents such as housing, health care, and social services. In particular, extra attention must be paid to outreach with agencies that focus services on the elderly, disabled community, and minority populations.

Other components of the Plan include: 1) notification requirements for hearings, 2) making sure all program information is readily accessible, 3) requirements for timely response to public requests, and 4) requirements for amendments to program documents.

Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission adopt the Community Development Block Grant Policies; and adopt the Citizen Participation Plan.

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

Written correspondence was received from **Sheila Rice**, 913 3rd Avenue North, suggested adding an opportunity for public comment on the draft plans prior to a Commission meeting public hearing.

Sheila Rice, 913 3rd Avenue North, expressed concern that public facilities funded by CDBG would have to be in a City-owned building or street, and that it would eliminate any other public building. She expressed support with regard to allowing new construction, as well as reconstruction.

Mayor Kelly expressed appreciation to Planning and Community Development Director Craig Raymond, and CDBG Administrator Maria Porter for their efforts with regard to the new approach to the process for CDBG funds.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 4-0

ORDINANCES/RESOLUTIONS

15. **Resolution 10234, Resolution Relating to \$3,270,000 Storm Drainage System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2018; Authorizing the Issuance and Fixing the Terms and Conditions Thereof.**

Finance Director Melissa Kinzler reported that on March 20th, 2018 the Commission awarded a contract in the amount of \$3,283,284 to Central Excavation for the 18th Street Storm Drain

Improvements Phase 2B from 4th Avenue South to 8th Avenue South, and 11th Avenue South to 15th Alley South contingent upon Montana Department of Natural Resources and Conservation (DNCR) concurrence.

Resolution 10234 authorizes the debt issuance from DNRC for these Storm Drain System upgrades. The total expected debt issuance for Storm Drain System upgrades is \$3,270,000. This includes construction, legal fees and loan reserves. The terms of the debt issuance will be 2.5% per year for 20 years. The adopted Storm Drain utility rates are capable of supporting the debt issuance. Total yearly debt service payments, which includes principal and interest, will be approximately \$208,000.

Commissioner Robinson moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10234.

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

Motion carried 4-0

CITY COMMISSION

16. Miscellaneous reports and announcements from the City Commission.

On behalf of the Commission, Mayor Kelly expressed condolences to Barbara Bush's family, and commented that she was a great role model.

The April 16th City-County Joint Work Session was an opportunity to discuss new cooperative efforts that have been made between the City and County, as well as to celebrate the standards of excellence from the City-County Health Board.

The Vigilant Guard Exercise was a huge success for the Community.

The City is participating in a new part of a tax bill that Congress passed recently, that created four qualifying opportunity zones, which are areas of a community defined by blight or lower income needs.

Mayor Kelly congratulated the Police Department for its efforts with regard to a recent incident at Great Falls High School.

Commissioner Moe commented that her team placed second in the Great Falls Public Library's Festival of the Book Word Meister contest.

17. Commission Initiatives.

None

ADJOURNMENT

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Moe, to adjourn the regular meeting of April 17, 2018, at 9:20 p.m.**

Motion carried 4-0

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: