

JOURNAL OF COMMISSION PROCEEDINGS

May 1, 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, Owen Robinson and Tracy Houck. 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; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

AGENDA APPROVAL

City Manager Greg Doyon reported that there was a minor typo corrected in the April 17th Commission Minutes. The agenda was approved as presented.

CONFLICT DISCLOSURE/ EX PARTE COMMUNICATIONS

None

PROCLAMATIONS

National Day of Prayer, Paint the Town in Hope Day & Leadership Great Falls Splash for Cash Day.

PETITIONS AND COMMUNICATIONS

1. **Miscellaneous reports and announcements.**

None

NEIGHBORHOOD COUNCILS

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

None

BOARDS AND COMMISSIONS

3. **Appointment/Reappointment to the Historic Preservation Advisory Commission.**

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission appoint Rich Ecke to fill a three-year term through April 30, 2021, and reappoint Ellen Sievert for a three-year term through April 30, 2021, to the Historic Preservation Advisory Commission.

Mayor Kelly announced that there is one more vacancy to fill for the Historic Preservation Advisory Commission.

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 5-0

4. **Reappointment, Advisory Commission on International Relationships.**

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission reappoint Katheryn Craig to the Advisory Commission on International Relationships for a three-year term through March 31, 2021.

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

Dr. Sandra Erickson, 2313 4th Avenue SW, expressed support with regard to reappointing Katheryn Craig to the Advisory Commission on International Relationships.

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

Motion carried 5-0

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

None

CITY MANAGER

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

City Manager Greg Doyon reported that Planning and Community Development Certified Permit Technician Joelle Marko has been promoted to Plans Examiner. Manager Doyon further reported that there is a need for additional Plans Examiners.

Manager Doyon reported that 10 Montana Fire Departments affiliated with the Montana Firefighter Testing Consortium will be conducting a physical ability practice session, which the City will be hosting in June.

Manager Doyon expressed appreciation to Park and Recreation Director Steve Herrig, Deputy Director Patty Rearden, and Staff for presenting what is being proposed at the Town Hall meeting for the proposed Park Maintenance District on April 26. Manager Doyon reported that property owners within the City limits, but live outside the city, are eligible to vote on the proposed Park Maintenance District as long as they are a registered voter. To receive a ballot, take a copy of the property tax bill to the Cascade County Elections office, and fill out an affidavit.

There will be performances at the Mansfield Center on November 20, 2018, and March 19, 2019, on the same evening as the City Commission meetings.

CONSENT AGENDA

7. Minutes, April 17, 2018, City Commission Meeting.
8. Total Expenditures of \$2,705,979 for the period of March 31, 2018 through April 18, 2018, to include claims over \$5,000, in the amount of \$2,455,358.
9. Contracts List.
10. Approve the purchase of one new 2019 Peterbilt 337 single axle cab & chassis dump box truck for \$114,767 from Montana Peterbilt of Missoula, through NJPA (National Joint Powers Alliance).

Commissioner Moe moved, seconded by Commissioner Houck, 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.

John Hubbard, 615 7th Avenue South, expressed concern with regard to the proposed Park Maintenance District, as well as an increase of taxes.

Mayor Kelly reminded Mr. Hubbard that the appropriate time to discuss those concerns was the Petitions and Communications portion of the meeting.

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

Motion Carried 5-0

PUBLIC HEARINGS

11. **Res. 10233, A Resolution Declaring Certain Property Located at 2311 4th Avenue Southwest, Lot 3B, Block 2, sunset S 179.75' of E/2 LT3, Cascade county, Montana, A Nuisance, Order the Nuisance be Abated and Authorize City Staff to Force Abatement if Necessary.**

Planning and Community Development Director Craig Raymond reported this item is a request to conduct a public hearing and to consider the adoption of Resolution 10233 which would declare certain conditions located at 2311 4th Avenue SW a public nuisance.

The Official Code of the City of Great Falls (OCCGF) Title 8, Chapter 49 provides for a process for dealing with nuisances which impact the public health and welfare. Nuisance is defined in 8.49.010 as:

Anything which is injurious to health, or is indecent or offensive to the senses, or is an obstruction to the free use of another's property, so as to interfere with the comfortable enjoyment of life or property of another; or including but not limited to placement and/or maintenance of any motor vehicle, motorcycle, trailer, camp trailer or mobile home on any property in the City in violation of any zoning regulation or other City ordinance; or all any residential structure (including all appurtenant structures) to remain vacant for more than one (1) year where its condition constitutes a hazard or its appearance is a blight to the community or where the property is maintained so as to obstruct the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is defined to be a "nuisance."

Director Raymond further reported that the subject property has been the subject of verbal complaints for some time, and that the City received a formal written complaint in December 2017, and an additional complaint and petition through Neighborhood Council #2 in January 2018.

This code enforcement case has been a cooperative effort with the Police, Fire, Engineering and Planning and Community Development Departments. Staff has spent considerable time on the investigation and case management of this complaint.

This cooperative investigation produced evidence of multiple violations of the OCCGF including an abundance of salvage items in the driveway and throughout the property, multiple licensed and unlicensed vehicles in various states of disrepair and parked on surfaces not approved for vehicle parking and storage. Additionally, the garage has been destroyed by fire and is unsafe to the occupants of the property and the general public and is also an attractive nuisance.

Staff has worked with the owner, Mr. Michael Lewis, who was given generous amounts of time to complete the clean-up and repair of the premises. While some minor progress appears to be evident, it has not been sufficient to give staff any confidence that the clean-up will be completed in any reasonable timeframe. The property appears to meet the definition of a nuisance and should be abated should the property owner fail to conduct the clean-up.

Mayor Kelly declared the public hearing open.

Speaking in opposition to Resolution 10233 was:

Mike Lewis, 2311 4th Avenue SW, owner of the property, commented that recently efforts have

been made to clean up the property, however the weather conditions have stalled those efforts.

Speaking in support of Resolution 10233 were area neighbors: **Sandra Erickson**, 2313 4th Avenue SW, **Annette Terry**, 2316 4th Avenue SW, **Lisa Sims**, 2310 3rd Avenue SW, **Jim Terry**, 2316 4th Avenue SW, **River Terry**, 2329 4th Avenue SW, **Patricia Hilbig**, 2232 4th Avenue SW, and **Lynn Baker**, 2313 4th Avenue SW expressing concerns regarding increased traffic and illegal activity, as well as the property being a public health and safety issue to children and the community. They urged the Commission to adopt Resolution 10233.

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

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10233, declaring certain property located at 2311 4th Avenue Southwest, Lot 3B, Block 2, Sunset S 179.75' of E/2 LT 3, Cascade County, Montana, a Nuisance, order the Nuisance be abated and authorize City staff to force abatement if necessary.

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

Commissioner Bronson expressed support of Resolution 10233 based upon the evidence compiled by City staff with regard to the health and safety concerns of the property, and not based upon the allegations of criminal activity.

The Commission concurred with Commissioner Bronson's comments.

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

Motion Carried 5-0

OLD BUSINESS

NEW BUSINESS

12. **Downtown Revolving Loan Fund Agreement.**

Planning and Community Development Director Craig Raymond reported that this item is a request to consider the approval of an amendment to the agreement between the City and Great Falls Development Authority (GFDA) originally approved in 2009, that provided for \$300,000 for economic development, and GFDA authority to provide loans for certain activities as part of a revolving loan program. The previous agreement was primarily intended to provide gap financing for larger projects which also had match funds to contribute.

With the advent of the hugely successful pedlet program initiated by the Business Improvement District (BID) last year, numerous community entities have been working to foster additional incentives and expand the program. All of the individual entities which make up the Downtown Development Partnership including the City have been working hard to make the downtown an attractive place to work, play, shop and live. This agreement is just one example of the coordinated effort. The only significant change to the agreement aside from formatting changes is the expressed ability for GFDA to process micro-loans of \$15,000 or less for these projects.

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission approve the amended Downtown Revolving Loan Fund Agreement.

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 5-0

13. **2018/2019 Community Development Block Grant (CDBG) Funding Priorities.**

Planning and Community Development Director Craig Raymond reported that this agenda item is an opportunity for staff to present to the Commission and the community what the official recommendations are for the coming Community Development Block Grant (CDBG/HOME) funding cycle. Director Raymond further reviewed and discussed the attached PowerPoint.

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

Julie Flesch, 41 Dick Road, commented that CDBG funding is critical to support the Indian Family Health Clinic building. She further commented that without the Indian Health Family Clinic, Native American and non-native members would not have access to health care.

There being no one further to address the Commission, Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Houck expressed support of the proposed changes to the Community Development Block Grant (CDBG) program recommended by Planning and Community Development staff.

Commissioner Bronson received clarification that the survey is not statistically balanced but rather to receive input from the community.

Commissioner Moe expressed concern that the 5% for Public Services would not be enough. Referring to year round applications, Commissioner Moe expressed concern that if another priority comes up, there would not be any funds available to allocate.

Director Raymond reported that 15% for Public Services is the high end cap allowed by the U.S. Department of Housing and Urban Development (HUD).

Commissioner Robinson commented that there was a lot of work done with regard to the proposed changes to the CDBG program, and that it is a remarkable option. Commissioner Robinson expressed appreciation with regard to the Public Improvements designation of 20% being allocated to retrofit Americans with Disabilities Act (ADA) access projects.

Mayor Kelly supports moving forward with the funding priorities recommendations made by staff.

ORDINANCES/RESOLUTIONS

CITY COMMISSION

14. **Miscellaneous reports and announcements from the City Commission.**

Commissioner Bronson reported that the Montana School for the Deaf & Blind celebrated its 125th Anniversary on April 27th, and noted that it is a wonderful institution with special and dedicated teachers.

Commissioner Bronson expressed appreciation to the Malmstrom Air Force Base Airmen who volunteered at the MApril Clean up held on April 28.

Commissioner Houck thanked those who extended get well wishes to her while she was in the hospital. She further reported that she has another commitment and will be unable to attend the May 15 Commission meeting.

15. **Commission Initiatives.**

Commissioner Moe reported that the national small business movement, Independent We Stand, announced the quarter finalists, including Downtown Great Falls, in the 2018 "America's Main Streets" contest.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Commissioner Houck, to adjourn the regular meeting of May 1, 2018, at 8:55 p.m.**

Motion Carried 5-0

Mayor Bob Kelly

City Clerk Lisa Kunz

**Minutes Approved:
May 15, 2018**



Community Development Block Grant

Funding Recommendations 2018/2019

1



Federal Funds

- CDBG and HOME programs are federal programs administered by HUD to help fund local community development
- Goal: Assist low and moderate income (LMI) persons in their respective communities


2

Annual Allocation

- Entitlement City- formula derived from population statistics
 - 2018/2019 CDBG Award: \$776,621
 - 2018/2019 HOME Award: \$285,831
- https://www.hud.gov/program_offices/comm_planning/about/budget/budget18
- Annual Action Plan
 - Outline’s Goals and Funding Priorities
 - Annual Action Plan is required by the Department of Housing and Urban Development (HUD) as part of the five year Consolidated Plan.

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FY18 Annual Action Plan Schedule

 City of Great Falls CDBG/HOME Annual Action Plan Schedule	
Commission Work Session to discuss Grant funding Priorities & Policies	November 21, 2017
Public Needs Assessment- Neighborhood Councils (1/31, 2/19, 2/22, 3/1, 3/7, 3/8), Community Survey, and Stakeholder Focus Group (3/5/18)	January 26, 2018- March 16, 2018
City Commission Work Session to review Community Data, City Commission Meeting to set date for Public Needs Hearing	Tuesday April 3, 2018
15 day comment period for proposed Citizen Participation Plan	March 30, 2018- April 16, 2018
City Commission Meeting to vote on Grant Policies and Citizen Participation Plan, Public Needs Hearing	Tuesday April 17, 2018
City Commission Meeting to review Staff Recommendation on Goals to be included in Annual Action Plan	Tuesday May 1, 2018
30 day comment period for proposed 2018/2019 Annual Action Plan	May 3, 2018 – June 2, 2018
City Commission Meeting to vote on Goals to be included in Annual Action Plan	Tuesday May 15, 2018
City Commission Meeting to vote on Annual Action Plan	Tuesday June 5, 2018
ConPlan/Annual Action Plan submitted to HUD	By June 30, 2018

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Community Assessment

- Community Survey: 355 Results
- Stakeholder Focus Group: 26 Participants
- 6 Neighborhood Council Meetings
- Public Needs Hearing
 - Written Public Comments

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Community Results

- Strategy: Focus on achieving a large goal or implementing larger projects
 1. Public Improvements
 2. Residential Housing Rehab
 1. Rental Housing Unit Rehab
 2. Single Family Home Rehab
 3. Housing Education and Counseling
 3. Public Services (Must be a new service or clear expansion of service, HUD funding cap: 15%)
 1. Homelessness Services
 2. Senior Services
 3. Alcohol and Drug Treatment

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Staff Recommendation: Public Improvements

- 50% Public Improvement Grants
 - 20% of the total annual budget be dedicated to ADA Access Retrofit Projects.
- This will provide funding to enhance public infrastructure such as sidewalks, curb ramps, City facility accessibility and playground equipment to enhance ADA access.

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Staff Recommendation: Residential Housing Rehab

- 45% Residential Housing Rehab Loans
- This will provide funding towards zero percent and/or low interest loans for property owners, to assist very low to moderate income individuals to bring properties up to code, and upgrade the city's housing stock to provide safe, affordable housing.
- This percentage also includes grant funding towards Housing Education and Counseling, which the community identified as the third top priority for Housing Initiatives.

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Staff Recommendation: Public Services

- **5% Public Service Grants**
 - Homelessness Services
 - Senior Services
 - Alcohol and Drug Treatment
- **FY18 Approximately \$66,600**
 - **FY17 Awarded \$67,500**
 - 0 Projects were new and/or expanding services
 - **FY16 Awarded \$88,800**
 - 1 Project expanded services (\$18,800)

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Staff Recommendation: Timeliness

- The City is required to have no more than 1.5 times of their annual allocation by May 2nd of every year.
 - Staff requests the ability to respond to this HUD requirement as needed, while remaining within the identified and approved priorities.
- Staff to have limited authority to adjust the percent recommendations by zero to ten percent based on Timeliness need.
- The City faced potential noncompliance with this requirement for the past two years and this approval will allow staff to be proactive in meeting the HUD Timeliness requirement.

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Staff Recommendations: Estimated CDBG Project Budget

- Unallocated CDBG funds from prior years (\$228,000)
- FY18 CDBG **estimated** annual allocation (\$776,600)
- Unallocated program income within the Revolving Loan Fund (\$569,000)
- Minus the cost (\$155,300) to administer the CDBG Program

Total CDBG Project Budget: \$1,418,300

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HOME Investment Partnership Program

- Estimated HOME Project Budget: **\$615,500**
 - Projected FY18 Award: \$285,800
 - Unallocated FY17 Award: \$171,900
 - Unallocated FY16 Award: \$168,100
 - Unallocated FY15 Award: \$18,200
 - Minus the cost (\$28,500) to administer the HOME Program
- HOME **grant** funding can be utilized towards:
 - Building (New Construction: Rental & Ownership Housing)
 - Acquisition (Property & Vacant Land)
 - Rehabilitation (Affordable housing for rent or homeownership)

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FY18 Annual Projected Budget

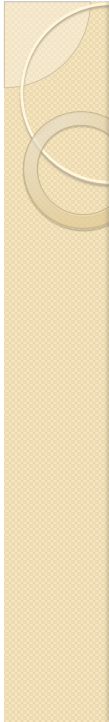
FY 18 Grant Annual Projected Budget Proposal			
	Debit	Credit	Balance
HOME Grant	644,200		644,200
CDBG Grant (FY17/FY18)	1,004,621		1,648,821
Revolving Loan Fund	569,633		2,218,454
Total Budget Amount	\$2,218,454		
Administrative Costs (FY18 Allocation: 20% CDBG/10% HOME)		183,907	2,034,547
Total Administrative Budget		\$183,907	
Affordable Housing: HOME Grant		615,616	1,418,931
Loan Specialist Program		65,000	1,353,931
Fair Housing Specialist Program		21,000	1,332,931
Public Improvements (50 %)		666,466	666,466
Residential Housing Rehab (45%)		599,819	66,647
Public Services (5%)		66,647	0
Total Project Budget		\$2,034,547	
Impact on General Fund:	None		

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Annual Action Plan- Next Steps

- Annual Action Plan available for 30-Day Public Comment Period
 - May 3, 2018- June 2, 2018
- City Commission vote on the funding priorities
 - May 15, 2018
- City Commission vote on the Annual Action Plan
 - June 5, 2018
- Annual Action Plan Submitted to HUD
 - By June 30, 2018

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Moving Forward: Project Selection – New Process

- Update Application to reflect allocation percentages (funding goals to be determined by City Commission)
- Application available once FY18 funding released from HUD
- Applications accepted year-round
- Applications reviewed/scored
 - Internal Review – Grant Specialist, Loan Specialist, PCD Deputy Director, HR Development Coordinator, Fair Housing Specialist
 - Loans- Loan Review Board (GFDA/GFHA)
- Highly scored projects will be chosen and a contract developed, which will ultimately be approved by the City Commission on the Contracts List/Consent Agenda