

JOURNAL OF CITY COMMISSION WORK SESSION
February 2, 2021

City Commission Work Session
Civic Center Gibson Room 212

Mayor Kelly presiding

CALL TO ORDER: 5:30 PM

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

ROLL CALL/STAFF INTRODUCTIONS: City Commission members participated electronically via Zoom Webinar: Bob Kelly, Mary Sheehy Moe, Owen Robinson and Rick Tryon. Commissioner Tracy Houck appeared electronically at 5:46 PM. City Staff participating electronically were: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Finance Director Melissa Kinzler; and City Attorney Sara Sexe. Planning and Community Development Director Craig Raymond was present in the Gibson Room, and City Clerk Lisa Kunz was present in the Commission Chambers.

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 50. 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_LwjTEta7RGaj_08PrdxyVA 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>.

PUBLIC COMMENT

Kevin Westie, 602 35th Street North, discussed a 2010-2015 American Heart Association study regarding counties with the highest economic distress saw the largest jump in death rate.

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Shyla Patera, appearing telephonically via Zoom, requested that accessibility be considered in all actions taken by the Commission. Accessible sidewalks and parking are needed downtown. People with disabilities want to participate in the entire community. She looks forward to learning more about the use of Tax Increment Financing (TIF) funds as a viable vehicle to accomplish ADA projects.

1. 2021 LEGISLATURE TRACKER TUTORIAL

Montana Municipal Interlocal Authority (MMIA) and Montana League of Cities and Towns (MLCT) Communications Strategist Amanda Burkhart explained that the MLCT advocates for cities and towns during legislative sessions. She explained all of the resources for cities and towns at the mtleague.org website. A legislative tracker link and tutorials are located under the Legislature tab. The system tracks all of the bills in almost real-time information. MLCT flags bills that may affect cities and towns. Flags are in the form of support, oppose, monitor, support-dead, support-passed, support w/amendments, passed, opposed-passed, dead, and opposed-dead. She displayed and explained use of the tracking calendar, and how to sign up to testify and timely submit documents for a hearing at leg.mt.gov.

Communications Strategist Burkhart also noted that MMIA/MLCT utilizes the campaigns system to send out mass emails with directives on how they want City and Town representatives to contact legislators to support or oppose certain legislation. She suggested anyone interested in being on the legislative contact list to contact her.

Commissioner Moe inquired if the timeline to sign up to testify was 24-hours in advance of a hearing, and if items could be brought up on the screen for presentation while testifying.

Communications Strategist Burkhart responded that the deadline to sign up to testify is noon the day before the hearing, and uploaded documents are distributed to the legislators.

Commissioner Tryon inquired the process for members of the Commission wanting to support or oppose certain legislation either in their own behalf or whether it required a consensus of the Commission.

Mayor Kelly responded that members of the Commission could testify in support of or in opposition to proposed legislation in their own behalf. Generally speaking, mayors are there to represent the local control issues. There is not enough time to get together to talk about or debate proposed legislation to take an official position. Oftentimes during the legislative session, speed and time are of the essence.

2. REVISED TIF ALLOWANCES

Planning and Community Development Director Craig Raymond introduced Kellie Pierce, Director of Operations of the Downtown Great Falls Association, and member of the Downtown Development Partnership (DDP). Director Pierce reported that three programs were created in the specific areas of code compliance, façade, and crime prevention through environmental design that they feel will help in the revitalization of downtown.

She explained that the code compliance program was designed to address existing significant code violations on commercial properties that may endanger occupants, visitors, or the public. This program

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will allow matching funds up to 50% of the project total not to exceed \$25,000. Eligible items would include, but are not limited to, elevator installation, ADA compliance, and fire suppression.

The primary objectives of the façade program is to encourage voluntary repair of existing commercial properties within the District and provide improvements of the public facing exteriors of buildings in the downtown core. This program will allow matching funds up to 50% of the project total not to exceed \$50,000. Eligible items would include, but are not limited to, window upgrades/installation, entryways, masonry, installation, and refurbishment or major overhaul of permanent overhangs. All improvements must be permanent in nature.

The primary objective of the Crime Prevention Through Environment Design (CPTED) program is to encourage property and business owners to install measures that provide for safety and security on the exterior of the buildings in the downtown core, including reducing/removing the opportunity for crime to occur in the downtown core; prevent crime by designing a physical environment that positively influences human behavior, promotes positive interaction of downtown by legitimate users, and retains and expands safe employment opportunities in the downtown core. This program will allow matching funds to a private investment up to \$5,000. Examples of eligible items are the installation of security cameras and/or lighting on the exterior of buildings and must be semi-permanent in nature. A stipulation to this program is that the cameras be registered with the Great Falls Police Department to obtain criminal activity footage, if needed.

If approved by the Commission implementation of the programs would begin July 1, 2021. The plans would be administered by the DDP with the assistance of City staff. The maximum allowed TIF funds granted through any of the programs by the DDP on any one parcel is up to \$80,000 over a 15-year period. The maximum limit of TIF funds granted will not exceed \$500,000 annually. There will be remaining funds to do other projects outside of these program guidelines. If this maximum has been achieved in a fiscal year, the DDP will not approve additional projects during that fiscal year.

Director Raymond commented that this is an advantageous proposal for the City and a great opportunity for the DDP to be more involved in these activities. He supports the proposal to have the DDP administer these programs. The City would continue to have safeguards in place to monitor project vetting, prevailing wage rates, and competitive bidding. The DDP's proposed use of \$500,000 of the \$800,000+ annual TIF funds after bond debt is paid leaves a substantial amount of money to do other types of projects in the Downtown TIF. City or government buildings are not eligible under these three programs. However, that does not preclude the City from applying for funds outside of the \$500,000 through the current TIF process that the Commission approved. It is essentially a set aside of \$500,000 for the DDP to administer on an annual basis.

Director Raymond reported that bond counsel Erin McCrady has reviewed and endorses these programs with some minor edits.

Business Improvement District Community Director Joan Redeen reported that these programs were drafted from language used by other communities within the state.

Mayor Kelly commented these programs are designed for the Downtown TIF district. He inquired if this type of programming is going to be extended to other TIF districts in the City or in the County.

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Director Raymond responded that there might be interest from the West Bank TIF District. The other TIF districts would not necessarily be a good fit. Downtown and West Bank are in Urban Renewal Districts.

Mayor Kelly commented that if downtown is the district that is going to be benefitting from these set-aside funds, it is a little concerning at first blush that the DDP will be administering and reporting on the actual funds. He suggested a City presence in that group with a shared responsibility. Once the administrative oversight is created, if those in the West Bank TIF District wanted to do something similar, would the thought then be to create a whole new administrative branch in that district or would it be better to centralize the supervision.

Director Raymond will review the administrative oversight plan and suggestion of a City presence. The DDP is already entrusted by the Commission to be the recommending body for the current Downtown TIF program. The DDP would not be tasked with administration of a revised West Bank TIF plan if that were to take place.

Mayor Kelly inquired which community plans were used to create these programs.

Community Director Redeen responded that the façade improvement program was modeled after Missoula, and the CPTED program was modeled after Billings.

Commissioner Robinson commented that TIF's have been attacked during the last legislative sessions. He inquired the current status.

Mayor Kelly responded that there have been some minor modifications as a result of the TIF attacks over the last three legislative sessions. Under attack this year is Park and Special Districts.

Commissioner Tryon received clarification that \$80,000 is the maximum per project limit per parcel over a 15-year time period, and that \$500,000 is the maximum amount that would be committed annually for the three programs combined.

Commissioner Tryon inquired if Community Director Redeen had an idea of the number of those interested in applying for these TIF funds when the program is in place.

Community Director Redeen responded that she is aware of a couple projects, and Brett Doney with the Great Falls Development Authority has mentioned projects that would benefit from these programs.

Commissioner Tryon inquired how they are going to determine who is first in line if there are more requests than funds.

Community Director Redeen responded that they have a draft application prepared that is still being worked out. As long as they meet the criteria of the program and are eligible, it would be on a first come first served basis.

Commissioner Tryon expressed a concern he has heard that why should competitors downtown get a matching fund of taxpayer money to improve their facilities and gain an unfair advantage in the

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marketplace over businesses outside of the TIF district. He also inquired the status of the Rocky Mountain Building.

Director Raymond responded that each TIF District has a specific goal in mind. There was a previous blight study and everybody was keen on eliminating blight, particularly in the downtown. It is a demonstrated public need, purpose and goal to promote revitalization in specific zones.

Mayor Kelly added that Alluvion owns the Rocky Mountain Building and has the funding now to put a roof on the building.

Commissioner Moe expressed concern about the level of remove of administration of the funds. She fears the more remote it gets from City staff or officials the less accountability the City has for them.

Director Raymond responded that Missoula created a redevelopment agency, which is another layer of government employees. Staff felt it was not necessary in this case at first glance. The reality was to hire additional City staff or look for other options. If that is a concern, they can look at City staff oversight without having to hire additional staff. Ultimately, it is the City that will be held accountable.

Director Raymond further clarified that project approval up to the \$500,000 would not come before the City Commission. This is something the DDP would administer within the context of the \$500,000 annually.

Mayor Kelly commented that it is critical that a step be added for public input, as well as more transparency, accountability and procedures in place before they take over \$500,000.

Commissioner Tryon shared similar concerns.

Commissioner Houck commented that her concern is that we keep challenging our partners and programs to do more efficient work and to get the dollars in the community. If a good mechanism is put in place without putting funds at risk she is in favor of moving forward. If programs are going to be in place by July 1st, she suggested a couple of work session placeholders for Commission updates.

Community Director Redeen noted that the DDP is made up of an 11 member board of directors, four of those members are City appointees, including a representative from the Parking Commission, a representative from Historic Preservation, a representative from the City appointed by Manager Doyon, and a representative from Neighborhood Councils. A City representative is at every board meeting.

Mayor Kelly summarized that Director Raymond move forward with the use of funds, but come back to the Commission with governance ideas and best practices from around the state.

DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

City Manager Greg Doyon reported that the February 16, 2021, work session would consist of a tentative golf update from CourseCo and an AARP presentation.

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Mayor Kelly requested that street parking for trailers on the master topic list be put off for a longer period due to Covid and people using their trailers to quarantine.

Commissioner Houck requested legislative issues that may impact our community be discussed during the next couple of months.

Commissioner Moe requested that crime issues, and where the Commission is going from here, be addressed at a work session soon so everyone is on the same page.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of February 2, 2021 at 6:45 p.m.