

JOURNAL OF COMMISSION PROCEEDINGS

April 5, 2022

Regular City Commission Meeting

Mayor Pro Tempore Wolff presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

Mayor Pro Tempore Wolff commented in response to a March 30, 2022 *Great Falls Tribune* article titled “Not in my neighborhood” that pertained to anti-Semitic flyers distributed in Great Falls. The City of Great Falls and its residents do not tolerate discrimination of any sort.

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Susan Wolff, Eric Hinebauch, Joe McKenney and Rick Tryon. Mayor Bob Kelly was excused. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Paul Skubinna; Planning and Community Development Deputy Director Tom Micuda; Finance Director Melissa Kinzler; City Attorney Jeff Hindoien; Police Chief Jeff Newton; and, City Clerk Lisa Kunz.

AGENDA APPROVAL: There were no proposed changes to the agenda by the City Manager or City Commission. The agenda was approved as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PROCLAMATIONS: Public Safety Telecommunicators Week (April 10-16, 2022)

MILITARY UPDATES

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM THE MONTANA AIR NATIONAL GUARD (MANG).

Colonel Trace Thomas, MANG Wing Commander, provided the following updates:

- An Open House is scheduled for July 22-24, 2022, with the Thunderbirds as the primary show. The media will provide additional information in the near future.
- A planned mass casualty response exercise is scheduled for May 19, 2022 that will involve all City and County response entities.
- Additional flying has occurred in the recent weeks to prepare for an upcoming deployment.
- A Great Falls School District tour is scheduled April 13, 2022 to educate faculty on what MANG has to offer graduating students.
- An Open Hangar event is scheduled April 14, 2022 for junior and senior students of community and surrounding schools to learn about career opportunities.

PETITIONS AND COMMUNICATIONS

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2. **Karl Spitzmacher**, 100 Central Avenue, referred to the discussion of Item 20 on the March 1, 2022 Commission agenda and suggested the State of Montana acquire airplanes from the airlines to lease out for use as commuter planes locally within the state, providing the airplanes are feasible and maintenance worthy.

Daniel Hartzell, 609 Central Avenue, commented that siren noise at the St. Patrick's Day parade from police, fire and ambulances should be cited as noise pollution.

NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

BOARDS AND COMMISSIONS

4. **APPOINTMENT TO THE LIBRARY BOARD.**

Commissioner Tryon moved, seconded by Commissioner McKenney, that the City Commission appoint Jay Bradley Eatherly to the Library Board for the remainder of a five-year term through June 30, 2024.

Mayor Pro Tempore Wolff asked if there were any comments from the public or discussion amongst the Commissioners.

Commissioner Tryon expressed appreciation to Mr. Eatherly for applying to serve on the Library Board for the remainder of Susan McCord's term.

There being no further discussion, Mayor Pro Tempore Wolff called for the vote.

Motion carried 4-0.

5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

CITY MANAGER

6. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Deputy City Manager Chuck Anderson made the following announcements:

- The Park and Recreation Department staff is hosting the Montana Trails, Recreation and Parks Association conference this week in Great Falls.
- Grant Administrator Tom Hazen is hosting the second public Q&A session for the City ARPA application process tomorrow, April 6, 2022 from 3:00-5:00 PM in the Gibson Room.

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- Great Falls Fire Rescue is conducting its Citizens Academy on consecutive Thursday evenings at 6:00 PM at the Fire Training Center.
- On March 25, 2022, over 20 attendees from across the state attended the HR Symposium for City Managers and HR professionals hosted by City Manager Greg Doyon. Discussions focused on strategies to navigate the changing employment market, and recruitment and retention efforts for the municipalities. The Commission will be more fully briefed during an upcoming work session.
- Great Falls Public Library is hosting several events this week to support “No More Violence Week.” A list of events is available on the Library’s website.

Police Chief Jeff Newton made the following announcements:

- Officer Shane Klippenes, badge 364, graduated today from the 12-week Montana Law Enforcement Academy Basic 177 Program. Officer Klippenes was selected by his peers to receive the Joe May award for his leadership and incredible sense of motivation. He also recognized Cascade County Sheriff Deputies John Nuss for receiving the Paul Williams award for being the class inspiration, and Quinn Gagnon for receiving the Alex Mavity award for achieving the number one overall ranking of the basic academy.

At the request of Commissioner Tryon, Chief Newton provided the following updates:

First United Methodist Church

Since the first of the year, the Great Falls Police Department (GFPD) responded to the First United Methodist Church 38 times that included 11 disturbances, 14 liquor law violations, 5 welfare checks, and 8 information generals that also included warrant arrests. From March 22 to today, GFPD issued the following citations: 11 open container, 1 criminal trespass to property, 1 obstructing a peace officer, 2 disorderly conducts, 2 resisting arrests, and 2 assaults on a peace officer.

At the request of GFPD, Reverend Wakely allowed GFPD, Alluvion and a representative from United Way to conduct interviews at First United Methodist Church on March 25, 2022. Collected data determined:

- 5 people were truly considered homeless
- 6 out of 6 were receptive to medical services, 4 out of 6 were receptive to mental health treatment services, and 4 out of 6 were receptive to substance abuse disorder services
- Most of them get food from the churches and not the Rescue Mission
- 2 of 6 had identification - They are assisting those folks in obtaining their id’s because it is tremendously difficult to get a job without any form of id
- 2 of 6 has a disability;
- 1 was approved for Section 8 housing but there were no openings

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GFPD continues to work with Reverend Wakely and community partners to try to provide these folks with the services they need, and will continue to enforce the behaviors.

Alumni Club

GFPD worked with multiple entities. That establishment was listed as off limits to MAFB personnel last week. There were zero calls for service over the weekend at that location.

CONSENT AGENDA.

7. Minutes, March 15, 2022, City Commission Meeting.
8. Total Expenditures of \$2,946,438 for the period of March 1, 2022 through March 23, 2022, to include claims over \$25,000, in the amount of \$2,161,878.
9. Contracts List.
10. Approve the Final Payment for the Park and Recreation Fuel Station in the amount of \$41,424.28 to NWESTCO, LLC. and \$418.43 to the State Miscellaneous Tax Fund. **OF 1755.0**
- *11. Approve a Professional Services Agreement in the amount not to exceed \$155,217 to Advanced Engineering and Environmental Services, Inc. (AE2S), for composing Phase 1 of a Solid Waste Study for the City of Great Falls, and authorize the City Manager to execute the agreement documents. **OF 1785.0**
- *12. Approve a Community Development Block Grant (CDBG) Funding Agreement in the amount of \$200,000 for the installation of an inclusive playground at Whittier Elementary School.
13. Set a public hearing for April 19, 2022, on Resolution 10448 to establish residential and commercial sanitation service collection rates effective May 1, 2022.
14. Set a public hearing for April 19, 2022 on Resolution 10452, A Remodeling, Reconstruction or Expansion of Certain Commercial Buildings or Structures; Tax Benefit for Starry Night Hospitality, LLC, located at 621 Central Avenue.
15. Set a public hearing for April 19, 2022 on Resolution 10453, A Remodeling, Reconstruction or Expansion of Certain Commercial Buildings or Structures; Tax Benefit for CMSC, LLC (DOC-Great Falls Holding, LLC) located at 3010 15th Avenue South [Great Falls Clinic and Hospital].
16. Set a public hearing for May 3, 2022 on a proposed Cable System Franchise Agreement between TDS Metrocom, LLC and the City of Great Falls.

Commissioner McKenney moved, seconded by Commissioners Hinebauch and Tryon, that the City Commission approve the Consent Agenda, with the exception of Items 11 and 12 for further discussion.

Mayor Pro Tempore Wolff asked if there were any comments from the public or discussion amongst the Commissioners.

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Hearing none, Mayor Pro Tempore Wolff called for the vote with regard to approval of Consent Agenda Items 7-10 and 13-16.

Motion carried 4-0.

- *11. APPROVE A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT NOT TO EXCEED \$155,217 TO ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, INC. (AE2S), FOR COMPOSING PHASE 1 OF A SOLID WASTE STUDY FOR THE CITY OF GREAT FALLS, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT DOCUMENTS. OF 1785.0**

Public Works Director Paul Skubinna reported that, as was discussed earlier during the work session, the purpose of this study is to move forward to look at the different options that are available for the City in the solid waste management arena. Public Works collects residential, commercial, and municipal solid waste. A multitude of other waste streams as a product of operations at Public Works and other City departments include street sweepings, organic material, bio-solids from the Wastewater Treatment Plant, alum sludge from the Water Treatment plant, and material from cleaning sewers that goes into a drying bed. The intent is for experts to take a closer look at the options that exist for the City, that may include waste reduction, recycling, transfer station, or get out of the business altogether, to help the City guide its future in managing solid waste in Great Falls.

Mayor Pro Tempore Wolff asked if the Commissioners had any questions.

Commissioner McKenney noted the agreement with Montana Waste Systems stipulates that compensation owed by the City for disposal consists of a base rate plus an annual escalation of 1.00 times the Consumer Price Index (CPI) times the base rate, and appears the rates could increase 7.9 percent. He inquired if that was part of the reason for the study.

Director Skubinna responded that it is a piece to the puzzle to try to curb escalating costs and get some stability in rates.

Commissioner McKenney inquired if the City-owned land on Manchester Road would be part of the study for a landfill.

Director Skubinna clarified that right now the City is looking very broadly at all of the options. The consultants were made aware of all of the resources and assets the City has to get a whole picture of what the City's options are going forward, including the City-owned property in Manchester and in Black Eagle.

In response to Commissioner Tryon, Director Skubinna clarified that the funds for the project were budgeted in accordance with the Capital Improvement Plan, and if approved, he anticipates having a published study by the end of this calendar year.

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Commissioner McKenney moved, seconded by Commissioner Tryon, that the City Commission approve a Professional Services Agreement in the amount not to exceed \$155,217 to Advanced Engineering and Environmental Services, Inc. (AE2S), for composing Phase 1 of a Solid Waste Study for the City of Great Falls, and authorize the City Manager to execute the agreement documents.

Mayor Pro Tempore Wolff asked if there were any comments from the public or discussion amongst the Commissioners.

Hearing none, Mayor Pro Tempore Wolff called for the vote with regard to Consent Agenda Item 11.

Motion carried 4-0.

***12. APPROVAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING AGREEMENT FOR THE INSTALLATION OF AN INCLUSIVE PLAYGROUND AT WHITTIER ELEMENTARY SCHOOL.**

Planning and Community Development Deputy Director Tom Micuda reported that, after staff review and vetting of grant applications received for CDBG or HOME Investment Partnership funds for eligibility and consistency with the federal regulations and City policy, the applications are submitted to an internal grant committee. If the grant committee scores the project high and it meets all of the objectives, a funding agreement is created with the applicant. Agreements come before the Commission on the contracts list or on the Consent Agenda when the grant request exceeds \$80,000. This project is clearly eligible as it meets the Public Facilities and Improvements objectives, serves low to moderate income populations [Whittier is the second highest poverty school in the system], ADA compliance is being addressed, and it is clear in federal regulations and local rules that schools can be applicants.

Mayor Pro Tempore Wolff asked if the Commissioners had any questions.

Commissioner McKenney noted that Agenda Item 20 sets forth the City is expecting approximately \$810,000 in CDBG funds.

Deputy Director Micuda clarified that this Item 12 is a request for existing CDBG funds from this fiscal year that were allocated to the City last fall after adoption of the Annual Action Plan. Agenda Item 20 is a Public Needs hearing for input on what the City may do in the next fiscal year with a new allocation of funds.

Commissioner McKenney inquired if the Planning and Community Development Department was done receiving grant requests for this year.

Deputy Director Micuda responded that the City is typically allocated approximately \$800,000, but the program also has carry-over funds. Additional funding requests will be coming before the Commission that staff is processing, as there is still money available.

Commissioner McKenney inquired if this was an unusually large grant request.

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Deputy Director Micuda discussed several similarly funded agreements approved in the past.

Commissioner McKenney commented that schools have their own funding mechanisms. He inquired if it was unusual for a school to ask for CDBG funding.

Deputy Director Micuda responded that requests from public sector agencies are relatively unusual. The genesis of this project started when staff noticed fundraising efforts being done at the PTA level for another school for an all-inclusive playground. Some schools have a good fundraising arm and can raise money quickly. Meadowlark, for example, completed this type of project not too long ago. Other schools are not in the same fundraising capacity in regards to their PTA's or residents. Staff did outreach to the School District to let them know they were eligible. Staff thinks the project is a win-win for the school and community. It provides a publicly accessible playground that is all-inclusive.

Commissioner Tryon commented that it seems strange that the Great Falls Public School (GFPS) system is requesting money from the City when it was not that long ago that the School District got a \$100 million dollar levy. He inquired if the Great Falls Public School System was also eligible for, and received, ARPA funds.

Deputy Director Micuda responded that ARPA is not his area of expertise.

Commissioner Tryon inquired if staff asked the School District if they could use their ARPA funds for this project.

Deputy Director Micuda responded that staff did not ask the School District about ARPA funds or other funding sources. The School District is putting \$30,000 towards this project.

Commissioner Tryon commented that knowing whether the School District could have used ARPA or other Covid relief funds for this project would be helpful information for him to know in determining whether to vote for this item.

Commissioner Tryon inquired the total cost of the project.

Deputy Director Micuda responded that the School District seen opportunities to improve other aspects of the area around the playground and determined they could raise \$30,000 to augment the \$200,000.

Commissioner Tryon inquired about staff oversight, and whether bidding was part of the project package. He further questioned the placement of this item on the consent agenda rather than under new business.

Deputy Director Micuda explained staff's management of all projects for a significant number of years per HUD's requirements. Several years ago, there were questions about block grant funds and commissioners being actively involved in the process. The process was changed to put the burden on staff as to whether projects are eligible, checks all of the boxes, and whether the City has the money and whether any other needs are being affected. Staff does all of that so that when the funding agreement is put on the consent agenda, the Commission knows it has already been

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thoroughly vetted. He also clarified that the School District went through the bidding process for the project.

Manager Doyon commented that, if there is concern and the Commission needs more data, the Commission could make a motion to table this item and staff can get the information to bring back to the Commission at the next meeting.

Manager Doyon clarified that the Commission always has the option, under Agenda Approval at the beginning of the meeting or during the Consent Agenda, to pull items, and the public always has the opportunity to comment on agenda items. Decisions are made during staff meetings regarding where items are placed when he prepares the agenda.

Mayor Pro Tempore Wolff inquired the will of the Commissioners.

Commissioner Hinebauch suggested moving forward with a vote.

Commissioner Tryon suggested tabling this item. He would like more information on the available funding that the School District has. He questioned whether this GFPS project is something the City should be using 25% of its grant money for when GFPS has its own funding mechanisms, received ARPA funds, and has other funds at their disposal to use. It's not whether or not the project is worthy of funding, it's whether or not it should be left up to the City of Great Falls to allocate the CDBG funding for this project when it could be funded in another way.

Commissioner McKenney moved, seconded by Commissioner Tryon, that the City Commission table this item for a future meeting.

Mayor Pro Tempore Wolff asked if there was any discussion amongst the Commissioners.

Commissioner Hinebauch commented he does not see anything wrong with this project and trusts City staff to do the proper vetting. He inquired if asking about ARPA or other funding is part of the application process.

Deputy Director Micuda reiterated the Committee's discussion that included other sources of funding. The bigger picture of what this project could achieve in terms of providing a publicly accessible playground in a low to moderate income area to replace an aging and very poorly conditioned playground, and the fact that block grant funds were available and there weren't competing needs for those funds, led the committee to believe that the overall good of the project outweighed the question of how much more could or should the school put into the project.

Commissioner Hinebauch indicated he has faith in City staff and that they vetted this properly. Based on the merits the Commission should vote on this item.

Commissioner Tryon inquired if there was any urgency to this project if the Commission tables this item until more information is provided about what ARPA or other funds are available to the School District.

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Deputy Director Micuda responded that the project execution was put together for summer construction and is on a tight timeline.

Commissioner McKenney expressed concern about setting precedent.

City Manager Doyon again reiterated that staff could get the information requested and put this item on the next meeting agenda and request a representative from the School District to be in attendance.

Mayor Pro Tempore Wolff asked if there were any comments from the public.

Karl Spitzmacher, 100 Central Avenue, inquired if the park was considered a public community park or an exclusive school park.

Morgan Yeagerlehner, City resident, commented in support of the project to make the playground accessible for all children. This park is a community space and community funds should be used to build this playground. It is important for all of the community to support kids with special needs that require special equipment so they are able to join in with their friends on the playground.

Brenda Landsiedel, 233 17th Avenue South, commented she is a retired teacher and spent 12 years working at Whittier Elementary. The kids currently play on a bed of pea gravel. School playgrounds are community playgrounds. Those kids and that community deserve this playground. She thanked Deputy Director Micuda and his office for doing their due diligence and vetting this grant application. She also clarified that the School District did not pass a \$100 million dollar levy. Levies are for learning. The voters approved a bond issue. Bonds are for buildings and those monies are already allocated.

Jessica Christ, 401 4th Avenue North, commented she was the PTA President when the prior speaker was teaching at Whittier. The assessment was correct that Whittier's PTA attempts to raise a huge amount of money is very different from some other PTA's. It is not the City versus the School District. We are all in this together and we all want the best for our kids. Most important is that it has been vetted and recommended by staff and there is strong support for it.

Michael Yeagerlehner, 313 2nd Avenue North, commented that this is an investment in people who will become tax-paying citizens in 10-18 years. That community needs this investment. It's important to invest in our children.

Sherrie Arey, City resident, shared information from a compliance book for CDBG and HOME funds. This neighborhood is the lowest economic neighborhood in the community and has the highest population of those below the poverty line. When the Natatorium closed, they lost that opportunity to have swimming in their neighborhood. Once the new aquatics center opens at a new location, the Recreation Center will also close and the neighborhood will lose that opportunity. She read portions of the Comprehensive Neighborhood Revitalization section of the CDBG and HOME compliance book. The chapter speaks specifically to the ability to utilize these funds for community facilities and public services. Community facilities may be eligible for assistance under CDBG programs that includes park and recreation facilities. This grant

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application is right in line with why CDBG funds are used for neighborhood revitalization. This is a neighborhood park in our most needed area for revitalization.

Carrie Parker, Director of Helping Hands Food Pantry, suggested the Commission also consider risks of not being ADA compliant.

There being no further discussion, Mayor Pro Tempore Wolff called for the vote on the motion to table this item until the next meeting.

Motion failed 2-2 (Mayor Pro Tempore Wolff and Commissioner Hinebauch dissenting).

Commissioner Hinebauch moved, seconded by Mayor Pro Tempore Wolff, that the City Commission approve the CDBG Funding Agreement in the amount of \$200,000 to Great Falls Public Schools for the installation of an inclusive playground at Whittier Elementary School.

Commissioner Hinebauch commented that this grant application has been vetted, qualifies, and there were no competing grant applications. Being the best stewards of this money the Commission should vote yes, and the School District using its ARPA money for other needs in the School District is the School District being the best stewards of their money. This is a low-income neighborhood and school in our community. It says a lot about what we want to invest in.

Mayor Pro Tempore Wolff commented that City staff explained it well and the project is within the guidelines.

Commissioner Tryon commented that he will vote in favor, but wished the Commission could have done the right thing and received information from GFPS regarding whether they had ARPA funds available for this project, so that the \$200,000 that would be allocated for this project could go for other community needs as well.

Commissioner McKenney commented that participation matters. He thanked the public that participated.

Mayor Pro Tempore Wolff commented that the Commission members are always available and willing to hear from everyone. She encouraged the public to communicate with the Commission members via phone calls, emails or letters.

Mayor Pro Tempore Wolff called for the vote.

Motion carried 4-0.

PUBLIC HEARINGS

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17. ORDINANCE 3235, AMENDING TITLE 9 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO SOCIAL HOSTS.

Mayor Pro Tempore Wolff declared the public hearing open and asked for presentation of the staff report.

City Attorney Jeff Hindoien reported that the Commission took action at its March 15, 2022 meeting to accept the proposed Ordinance on first reading and to set a public hearing and second reading consideration of the proposed Ordinance for April 5, 2022.

The City Commission adopted Ordinance 3044 in September of 2009 that enacted a “Social Host” provision in the OCCGF that created a criminal sanction for adults who are involved in organizing, facilitating or otherwise allowing events that involve the possession or consumption of alcohol by minors.

The legalization of recreational marijuana in 2021 and the anticipated increase in its availability in the community has prompted a staff discussion regarding the potential need to amend the current Social Host ordinance to include marijuana and other substances. The proposed amendment to the existing Social Host ordinance will more closely align its structure with the current landscape where marijuana is – like alcohol – now a legal product for adult use and will provide a more effective enforcement tool in deterring underage parties where alcohol, marijuana or other illegal substances are being used.

He noted that the penalty contains a mandatory minimum jail sentence that the City pays for as an incarceration offense. The vast bulk of jail sentences handed down in Municipal Court are tied to either a Title 61 motor vehicle code offense or Title 45 criminal offense and those are all incarceration charges that are paid for by the State of Montana, or through the county structure. More thought would be given to where those costs should come from in the event of a prosecution and a jail sentence under the ordinance during budget meetings.

Mayor Pro Tempore Wolff asked if the Commission members had any questions. No one responded.

Mayor Pro Tempore Wolff asked if there were any comments from the public in favor of Ordinance 3235.

Beth Morrison, City resident, Substance Abuse Specialist for Cascade County and Alliance for Youth, applauded this step to adding marijuana to the existing social host ordinance. Social host ordinances have shown to be a great deterrent and give the real expectation and reality that there are consequences to face for hosting underage drinking, marijuana or other drug use. Social host ordinances are different from the liability laws. Something has to happen before liability laws come into effect. A tragedy does not have to occur, or a sexual assault, car accident or property damage for a social host ordinance to be enforced. Adoption of the ordinance is a clear message to our youth that we care enough to protect them.

No one spoke in opposition to Ordinance 3235.

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Mayor Pro Tempore Wolff closed the public hearing and asked the will of the Commission.

Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission adopt Ordinance 3235.

Mayor Pro Tempore Wolff asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Pro Tempore Wolff called for the vote.

Motion carried 4-0.

18. ORDINANCE 3242, A REQUEST FROM TOURO COLLEGE MONTANA, LLC. TO REZONE ±12.21 ACRES WITHIN MOUNT OLIVET MINOR SUBDIVISION FROM PLI, PUBLIC LANDS AND INSTITUTIONAL TO M-1 MIXED-USE DISTRICT AND APPROVAL OF AN AMENDED PLAT FOR A MINOR SUBDIVISION OF AMENDED PLAT OF LOT 1.

Mayor Pro Tempore Wolff declared the joint public hearing open and asked for presentation of the staff report.

Planning and Community Development Deputy Director Tom Micuda reported that applicant's requested action is to subdivide 19.33 acres located on the north side of 18th Avenue South, between 20th and 29th Streets. The westernmost lot will be home to the Touro Medical College consisting of 5.12 acres. A 12.21-acre lot is proposed for a 288-unit apartment complex. The easternmost lot is proposed for two acres in the northeast portion of the site projected to be the home of the future Montana State University Nursing School. The ordinance will also rezone the proposed middle 12.21-acre lot from Public Lands & Institutional (PLI) to Mixed-Use District (M-1). PLI zoning allows for Touro and the future nursing school, but not apartments.

Pertaining to the subdivision, the lots are bigger in size and width than required. The lots all front on public streets and will be interconnected with sidewalks and a future trail along the north property line. All lots will be served by City utilities.

Deputy Director Micuda concluded that the requested action is that the subdivision be approved and Ordinance 3242 adopted to rezone the middle 12.21-acre lot. Based on a housing study there is a need for housing, the plan for the 19 acres was always to create a housing component next to the medical college, and M-1 zoning is already next to the property. The 2007 Medical District Master Plan identified the need to have more mixed uses near medical facilities. The requested action is strongly supported by Neighborhood Council 5.

Mayor Pro Tempore Wolff asked if the Commission members had any questions. Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from proponents of this project.

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John Goodnow, CEO of Benefis Health System, commented that he has wanted this medical school for Great Falls since 2015. Benefis and Touro University were fortunate to get together to enable this medical school for Great Falls. The medical school will be a fantastic development for the community and will lead to other developments as well. There is a housing shortage in Great Falls. He explained that the first two years the students are in medical school they will be in Great Falls and the next two years they will be performing clinicals at rotation sites at partner facilities within and out of the state. Two classes will require a place to live for 250 students.

He also reported that, due to the generosity of a large donation, Montana State University is going to build a nursing school that will expand nursing capacity in Great Falls. Those students will also be looking for places to live. Neither the medical school nor the nursing school particularly work without the critical housing component. They are anxious to get started on the apartments so next June when the students start school they have a place to live.

Patricia Salkin, Provost of Touro University, commented that the land that is being asked to be subdivided and rezoned is owned by Touro. Benefis sold Touro the land to be able to get the medical school construction going. Touro is investing between \$43 - \$50 million dollars in the construction of the project, which does not allow for a lot of liquid funds to support housing for the students. The accreditor for the medical school is asking for housing for the students because, obviously, they cannot come with no place to live. Touro would like to subdivide that land and be able to sell it back to Benefis with the required rezoning so that housing can be constructed. They look forward to having a nursing school on the same plot because inter-professional education is important in the medical education field. Doctors and nurses learning how to work together as students is important. They are working with all of their academic neighbors in the area, as well as Great Falls Development Authority because there will be about 170 jobs. Local people will be hired as well as people coming from out of town who are going to need housing. She concluded that statistics show that people tend to stay where they go to medical school and where they do their residency.

Jolene Schalper, Great Falls Development Authority (GFDA), commented that this project is the largest transformative project for economic development that GFDA has seen in very long time. The primary sector jobs this project is creating is money coming into our community that would not be here without Touro University. She will be back to ask the Commission to help GFDA welcome the students and faculty to the community. Ms. Schalper expressed kudos to City staff. Great Falls is open for business and is business friendly.

Karl Spitzmacher, 100 Central Avenue, commented that he has never seen a meeting where a low-end school project and a high-end college project came before the Commission with such discussion.

Mayor Pro Tempore Wolff asked if there were any comments from opponents of this project. Hearing none, Mayor Pro Tempore Wolff closed the public hearing and asked the will of the Commission.

Mayor Pro Tempore Wolff moved, seconded by Commissioner Hinebauch, that the City Commission approve the Amended Plat of the Minor Subdivision as legally described in

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the staff report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

Mayor Pro Tempore Wolff asked if there was any discussion amongst the Commissioners.

Commissioner Tryon expressed appreciation to Benefis, Touro and Great Falls Development Authority.

There being no further discussion, Mayor Pro Tempore Wolff called for the vote.

Motion carried 4-0.

Commissioner Tryon moved, seconded by Commissioner Hinebauch, that the City Commission adopt Ordinance 3242 allowing the rezone request from PLI Public Lands and Institutional to M-1 Mixed-Use District as legally described in the staff report, and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.

Mayor Pro Tempore Wolff asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Pro Tempore Wolff called for the vote.

Motion carried 4-0.

19. RESOLUTION 10451, APPROVING THE DONATION OF USED RADIO EQUIPMENT FROM POLICE AND FIRE RESCUE TO CASCADE COUNTY FOR USE BY THE RURAL VOLUNTEER FIRE DEPARTMENTS.

Mayor Pro Tempore Wolff declared the public hearing open and asked for presentation of the staff report.

Police Chief Jeff Newton reported that in March of 2020, the Great Falls City Commission authorized the upgrade to a Motorola 800 MHz public safety radio system and associated equipment utilized by the Great Falls Police Department, Great Falls Fire Rescue and the 911 Communications Center. As a result of the upgraded public safety radio system, the Great Falls Police Department and Great Falls Fire Rescue have VHF trunked radio system equipment, in car mobile and portable personal radios and associated equipment, that are no longer in use or needed, and are no longer supported by the manufacturer.

The VHF radio equipment no longer fulfills the operational requirements for the City of Great Falls. However, the equipment is still functional for use by other agencies. Currently, the VHF radio equipment is in storage and no longer being used.

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Conversations began with Cascade County specific to rural fire departments on whether the VHF radio equipment could be utilized by their personnel. It immediately became evident that the VHF equipment would be beneficial and would be a significant improvement for rural fire communications capabilities, which in turn would provide improved service and public safety to rural areas.

Cascade County Rural Volunteer Fire Departments (VFD) do not have the means to upgrade radio systems, which poses a challenge for VFD to communicate properly. Additionally, VFD currently do not have enough radio equipment to outfit volunteer fire vehicles and personnel. The transfer of this surplus equipment would better equip volunteer firefighters to communicate more effectively during emergency situations. Rural fire departments are essential for public safety in many areas of the county and are relied upon heavily for fire and emergency medical services. In addition, rural fire departments are comprised mainly of community volunteers with limited to no budget capacity to purchase essential radio equipment.

The donation of the VHF radio equipment to Cascade County for use by rural fire departments highlights the collaboration and cooperation between the City of Great Falls and Cascade County and provides increased communication capabilities to include maintaining the existing mutual aid agreements.

Mayor Pro Tempore Wolff asked if the Commission members had any questions.

Commissioner McKenney inquired the age of the equipment, its lifespan, and requested more discussion about the parts not being available.

Chief Newton responded that the bulk of the equipment was purchased in 2005 via a Department of Homeland Security grant. Great Falls partnered with Cascade County through the DES Coordinator. That grant was part of the old Interoperability Montana Project. That equipment sat for a while and did not become a functional VHF trunked radio system until 2012. Like any equipment, it becomes unsupported and stagnant. For use by volunteer fire departments the equipment is still operational, particularly the mobile equipment. The mobile equipment is essential for fire vehicles and is still robust and operational.

Mayor Pro Tempore Wolff asked if there were any comments from the public in support of Resolution 10451.

Eric Tillman, Cascade Volunteer Fire Department and Cascade Rural Farm and Ranch Fire Department Chief, and Rural Fire Council President for Cascade County, commented that the Cascade Volunteer Fire Department has about a \$14,000 budget to run the fire department for a year, and about \$20,000 on the rural side with over 640 square miles in the district. A lot of the budget is spent on fuel and truck maintenance. The last time they received a grant for radios was 25 years ago. They discontinued those radios about 10 years ago and they can no longer find parts for the radios.

Approval of the donation of radio equipment would be a huge help to the rural fire departments, with each department getting approximately 10. The current QRU radios are less than 3-watts

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and cannot get to dispatch. The VHF radios have 6-watts and will go all across the county and will help save lives.

Scott VanDyken, Captain at the Cascade County Sheriff's Office, commented that the Sheriff's Office is upgrading its equipment to the same radios as the Great Falls Police Department so that they can communicate. One radio is about \$8,600. That amount is almost the VFD's budget for the entire year. This donation will really help their communication. City residents recreate in the county and the VFD support them as well.

Karl Spitzmacher, 100 Central Avenue, commented as a public citizen that he could not find a better deal to support public safety.

John Schmiedeke, Chief of Gore Hill Fire Department, commented that most of their radios are 30-years old. This donation will help tremendously. He urged the support of the Commission.

Claude Weldow, Assistant Fire Chief at Gore Hill Fire Department, commented he grades the whole VFD communication infrastructure a D-. It has become a cost prohibitive requirement and an absolute necessity on fire ground for safety.

Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10451.

Hearing none, Mayor Pro Tempore Wolff closed the public hearing and asked the will of the Commission.

Commissioner Hinebauch moved, seconded by Commissioner McKenney, that the City Commission adopt Resolution 10451, approving the transfer of used surplus mobile and portable radios and associated equipment to Cascade County Rural Fire Departments.

Mayor Pro Tempore Wolff called for the vote.

Motion carried 4-0.

20. **CDBG & HOME 2022-2023 PUBLIC NEEDS HEARING.**

Planning and Community Development Deputy Director Tom Micuda reported that this item is the public launch for City staff to develop the Annual Action Plan (AAP) for the CDBG and HOME programs. The AAP sets priorities for how the City should spend its annual allocation of these funds for the next fiscal year. The current AAP is in its last quarter and must be replaced by the new AAP by the end of June. If the City is successful, HUD will release approximately \$800,000 of CDBG funds and approximately \$280,000 of HOME funds into the City's program by late summer or early fall.

A list of funding priorities in this year's AAP are guided by the Consolidated Plan that was adopted at the end of 2020 and will run until 2024. The funding priorities support:

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- Public Service Agencies
- Affordable Housing
- Housing Rehabilitation
- Fair Housing
- Economic Development
- Public Facilities and Improvements

Deputy Director Micuda concluded that tonight's hearing is an open forum for agencies and citizens to comment on priorities for these programs.

Mayor Pro Tempore Wolff asked if the Commission members had any clarifying questions.

Hearing none, Mayor Pro Tempore Wolff opened the public hearing and noted that the Commission will not be taking any action tonight.

Michael Yeagerlehner, 313 2nd Avenue North, commented that he loves his neighborhood. Prior to buying his house, he rented an apartment in the neighborhood for \$570/mo. He was informed recently that the building was purchased from someone out of state and the rent is now about \$900. He expressed concern about people being priced out of the community when, as of two years ago, anyone of almost any income level could live in the diverse housing neighborhood.

Sherrie Arey, Executive Director, NeighborWorks Great Falls, read sections of a recent housing market study commissioned by NeighborWorks, Great Falls Development Authority and the Realtors Association. She encouraged the Commission and City staff to dig deeper into the study when putting the needs assessment together. Some information gleaned from the study indicated about 2000 new jobs coming to Great Falls by the end of 2026, not taking into account Touro, Great Falls Clinic or Malmstrom projects. There is a need for 450 new housing units in a variety of price points from single-family homes to rental units each year for the next 10 years. About half of that number are individuals that fall below 100% of the Area Median Income (AMI), as well as a significant number that falls below the 80% AMI. Creative strategies will be required to produce new for rent and for sale housing units at lower price points.

In addition to incorporating the market study, she encouraged City staff to look at all the ways that funds can be considered eligible, think of creative ways to use the funds, investigate opportunities, and branch out to others that are investing in these kinds of activities to bring more homes to our community.

Carrie Parker, Director of Helping Hands Food Pantry, commented that Great Falls Public Schools has identified 400+ homeless kids. She believes homelessness is a real problem in the community and that it has gotten worse over the last two years. She visited three Missoula facilities: Poverello Center, a heated warehouse, and a city-sponsored encampment that all provide 24/7 security. She commented it is amazing what Missoula is doing for their homeless community. She encouraged City staff and the Commission to have the foresight and vision to allocate some of this funding to create shelters and low-income housing.

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Brenda Landsiedel, 233 17th Avenue South, concurred with prior speaker comments pertaining to affordable housing for all. She commented that every human being has basic needs and the first basic need is shelter. She encouraged creative ideas and solutions for housing for all.

Meghan Miller, 1525 3rd Avenue North, commented that she and her husband have been spending time with the homeless community for months. She reminded everyone of the power of empathy and shared humanity and that those in basic survival mode in our community need our immediate support. She concluded that the unhomed need to feel safe before thinking of anything else. She encouraged everyone to offer strength without judgment.

Karl Spitzmacher, 100 Central Avenue, commented that he has been homeless on and off since 2004. He suggested a homeless shelter where the unhoused would want to come and feel comfortable, with programs where they can get involved and receive unbiased mental health assistance.

Appearing telephonically were:

Julie Bass, City resident, expressed opposition to providing funds or additional resources towards homeless shelters being constructed in our community that she believes will increase taxes in the long run. She encouraged the Commission to consider all of the citizens of Great Falls when allocating funds.

Lisa Lord, City resident, suggested hope be provided to the homeless in other ways such as curriculum. In order to change lives people need to change direction. That hope comes from a relationship with Jesus Christ to be truly transformed. She opposed more shelters being built noting citizens are already tax burdened enough.

Written communication was received from: **Shyla Patera**, Northcentral Independent Living Services, 1120 25th Avenue NE. Ms. Patera reported that the community needs more options for accessible, visitable, affordable, universal design housing stock. She suggested the City also needs to invest in rehabilitation housing, accessible contracting options, and to ensure that all opportunities for housing vouchers are taken advantage of and applied for in the community. Ms. Patera requested that the City approach HUD and/or Montana Housing to prorate fees paid to Great Falls Housing Authority and other landlords based upon the income of those with disabilities. Pertaining to physical infrastructure, Ms. Patera suggested the City needs to focus upon accessible disability parking, streets and sidewalks, as well as winter snow removal.

There being no one further to address the Commission, Mayor Pro Tempore Wolff closed the public hearing.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

CITY COMMISSION

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21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Tryon referred to a recent *Great Falls Tribune* article titled “‘Not in my neighborhood’: Anti-Semitic, anti-trans flyers distributed in Great Falls”, and noted that he reviewed the flyers and there was nothing anti-trans at all in the flyers that were distributed on the north side of Great Falls. It was pure anti-Semitic hate.

22. COMMISSION INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Pro Tempore Wolff, to adjourn the regular meeting of April 5, 2022, at 9:44 p.m.**

Motion carried 4-0.

Mayor Pro Tempore Susan Wolff

City Clerk Lisa Kunz

Minutes Approved: April 19, 2022