

JOURNAL OF COMMISSION PROCEEDINGS
May 21, 2024

Regular City Commission Meeting

Mayor Reeves presiding
Commission Chambers Room 206

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Cory Reeves, Joe McKenney, Rick Tryon, and Shannon Wilson. Commissioner Susan Wolff was excused. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Public Works Director Chris Gaub; Planning and Community Development Deputy Director Lonnie Hill; Finance Director Melissa Kinzler; City Attorney David Dennis; 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.

1. PROCLAMATIONS

National Public Works Week [May 19-25, 2024].

Public Works Director Chris Gaub presented the following awards:

- Orion McKinney [Central Garage] Public Works Challenge Coin
- Eric Boyd [Street & Traffic] and Orion McKinney [Central Garage] Team Event of the Year – Operation Tumbleweed
- Street & Traffic - Division of the Year
- James Hewitt [Engineering] – Employee of the Year

COMMUNITY INITIATIVES

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM CITY COUNTY HEALTH DEPARTMENT.

None.

3. PETITIONS AND COMMUNICATIONS

Jeni Dodd, City resident, read a prepared statement pertaining to a kayak rental kiosk in a City park alleging lack of transparency and crony capitalism.

Jolene Schalper, Great Falls Development Alliance (GFDA), announced that GFDA entered into a Memorandum of Understanding with Lethbridge Economic Development for the purpose of

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strengthening, growing, and diversifying food, agriculture, bioprocessing, and the energy sectors across their regions.

NEIGHBORHOOD COUNCILS

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

CITY MANAGER

6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon made the following announcements:

- Brandon Skogen was selected as the 2024 911 Dispatcher of the Year by the Department of Health and Human Services EMS and Trauma System. He will be recognized tomorrow in the Capitol Rotunda. Brandon has worked at the 911 Center for 19-years.
- Twelve cats and six dogs were adopted during the Animal Shelter's Empty the Shelter event that was in collaboration with the Bissell Pet Foundation.
- The new EMS Performance Contract between Great Falls Fire Rescue and Great Falls Emergency Services went into effect this morning at 12:01 a.m.
- The City recently discontinued lift assists at nursing facilities as another means to manage the workload for Great Falls Fire Rescue.
- The police awards ceremony was held last Friday. He thanked civilian staff at the Great Falls Police Department, the Animal Control Officers, Dispatchers, and Office and Administration for their hard work and dedication.
- He also thanked the Public Works Department as unsung heroes of services that people take for granted including the streets that they maintain, the water that they treat, trash that is hauled away, the sewage that is treated, the City's infrastructure they design, and the City fleets that they maintain for all the departments.

CONSENT AGENDA.

7. Minutes, May 7, 2024, Special City Commission Meeting.
8. Minutes, May 7, 2024, City Commission Meeting.
9. Total Expenditures of \$5,037,244 for the period of April 18, 2024 through May 8, 2024, to include claims over \$25,000, in the amount of \$3,946,918.

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10. Contracts List.
11. Approve final payment for the Wastewater Treatment Plant Clarifier Rehabilitation project, totaling \$108,887; which includes \$107,798.13 allocated to Sletten Construction Company and \$1,088.87 to the State Miscellaneous Tax Fund and authorize the City Manager to execute these payments.
OF 1731.3
12. Approve the 2024 Memorandum of Agreement for the Great Falls Metropolitan Transportation Planning Process.
13. Approve the cancellation of City of Great Falls checks that remain outstanding and unpaid for a period of one (1) year or longer as authorized by section 7-6-4303 MCA.

Commissioner Tryon moved, seconded by Commissioner Wilson, that the City Commission approve the Consent Agenda as presented.

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

Hearing none, Mayor Reeves called for the vote.

Motion carried 4-0.

PUBLIC HEARINGS

14. **RESOLUTION 10547, A REQUEST FROM ELMORE ROBERTS COMMUNITY PARTNERS, LP TO USE DOWNTOWN URBAN RENEWAL DISTRICT TAX INCREMENT FINANCING (TIF) FUNDS IN THE AMOUNT OF \$430,000 FOR THE REHABILITATION OF ROBERTS BUILDING LOCATED AT 6 6TH STREET SOUTH.**

Mayor Reeves declared the public hearing open and asked for presentation of the staff report.

Planning and Community Development Deputy Director Lonnie Hill reported that Elmore Community Partners, LP is purchasing a contributing building within the Central Business Historic District located at 6 6th Street South. The building was originally constructed in 1917 and known as the Roberts Building. It currently contains 60 housing units serving households at an area median income (AMI) of 50% or less.

According to the narrative submitted by the applicant, the Community Preservation Partners (CPP) plan to preserve its historic novelty, extend the affordability, and positively impact the residents and community of Great Falls as a whole.

The proposed financing leverages Low Income Housing Tax Credits, Historic Tax Credits, a Montana Healthcare Foundation permanent loan, Coal Trust Funds, and TIF funds, along with the conversion of the two Mod-Rehab contracts to a new 20 Year Housing Assistance Program (HAP) contract. The applicant states, the combination of financing efforts and subsidies will ensure affordability for residents for the next 50 years.

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The applicant is proposing rehabilitation of this historic building including preservation of the brick façade, installation of historically compatible windows as required by the State Historic Preservation Office (SHPO) as a condition of Historic Preservation Tax Credits, and preservation of an existing elevator. In addition, Elmore Roberts Community Partners, LP are proposing enhancement of environmental safety features, creation of three additional ADA living units, and installation of an upgraded fire alarm system. The project is expected to begin this summer and be completed by the end of 2024.

The total cost of the proposed renovations is \$5,681,620.38. The applicant has chosen to apply for TIF funding through the approval of City Commission due to the aggregate amount requested exceeding the \$130,000 limit of the Downtown TIF Program awards reviewed and approved administratively by City planning staff.

The request of \$430,000 in TIF funds represents approximately 7.5% of the total cost of the \$5.6 million rehabilitation project. When considering requests above the aggregate amount, it is important to consider whether this request presents a special or unique opportunity. With a recommendation of approval from the Downtown Development Partnership (DDP), staff views the applicant's request as a special opportunity that will significantly contribute to the Central Business Historic District. Because rehabilitation of this building increases the longevity and ensures housing for 60 family units while also providing ground-floor commercial opportunities, staff recommends that the Commission consider this project a unique opportunity.

Included with the agenda report was a fund balance for the TIF District, a Downtown TIF cash flow analysis showing what is available in increment, as well as projects that are committed to, and the remaining balance. The cash flow analysis is to show the impact of this request to the Downtown TIF fund. That cash flow shows that there is capacity for the request.

City staff has assessed the request in relation to the goals and objectives of the Downtown Urban Renewal Plan, evaluated the project based on the evaluation criteria, and determined that expenditure of TIF funds in the amount of up to \$430,000 is warranted for the purpose of paying for the proposed project which will further support economic development in the District.

Staff finds the request eligible; however, the City Commission reserves the right and discretion to approve grants in excess of the aggregate limits of \$130,000.

Keith Nelson, Director of Construction for NeighborWorks Great Falls, representing the applicant, reported that NeighborWorks is the non-profit partner in this project. Preserving affordable housing is a challenge. Many of these bigger buildings are being purchased and turned into market rate housing. Approval of this request will ensure for many years to come that the project stays affordable with the use of tax credits from the Montana Board of Housing. The renovation will provide updated safety and security, as well as modernize the building. It also revitalizes an historical building in the City's downtown district. Many layers of financing are involved in this project. It takes them all to make it work. One missing piece and it all falls apart.

The owner emphasized that the rents will not be going up. The owner is not asking for any tax exemption. They will be paying the full taxes in order for the TIF fund to continue.

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Mr. Nelson expressed appreciation to the DDP for its support, and urged the Commission's approval of this important project to restore this historical building and keep providing affordable housing into the future for the residents.

Mayor Reeves asked if the Commissioners had any questions of staff.

Commissioner Wilson inquired the public improvements included in the project.

Deputy Director Hill responded that all items included in the application could be TIF eligible, and includes things such as three new ADA units and fire alarms. The amount of \$430,000 was the requested amount because they identified a gap of that amount in their funding.

Commissioner Tryon received clarification that this TIF request is the last piece of the funding the applicant is trying to identify.

Commissioner Tryon asked for explanation of the conversion of the two Mod-Rehab contracts to a new 20 Year Housing Assistance Program (HAP) contract.

Deputy Director Hill responded that the MOD-Rehab process is a way to fund the gap difference between what the low-income residents are able to pay and the market rate. Basically, the business is able to get that funding gap paid for by grants or subsidies that was converted to a new housing assistance program loan that goes forward for 20 years.

Commissioner Tryon requested confirmation that this project is not going to be another non-profit venture at some point, or have a reduced tax value, that is being rehabilitated with TIF funds.

Keith Nelson, Director of Construction for NeighborWorks Great Falls, commented that it is not the intent that the company will turn into a non-profit business and ask for a tax exemption.

Mayor Reeves asked if there were any comments from the public in support of Resolution 10547.

Kellie Pierce, Downtown Development Partnership (DDP), commented that all TIF requests come through the DDP for review prior to being submitted to the Commission. The applicant attended the April 24, 2024 DDP meeting and clarified that all property taxes would be paid, and they would continue to pay into the TIF District. It is going to be a great rehab of a building that is in dire need of some consideration and will benefit the downtown area.

Jolene Schalper, Great Falls Development Alliance (GFDA), commented that housing is in great demand in this community as multiple studies and professional assessments have shown. It is very challenging to get low-income housing built, especially in these times. She noted that 12 years ago there were 80 kids under the age of 12 that lived in the Elmore Roberts Apartments. She urged the Commission's support by aiding them in 7.5% of their project.

Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10547.

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Jeni Dodd, City resident, read from a prepared statement expressing concern that TIF funds are to be used in blighted areas to effect an overall public benefit. She opined this project merely benefits one property owner and his business interests. She concluded TIF monies do not go to the general fund so TIF Districts force the rest of the taxpayers to pick up the costs of public safety.

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

Commissioner Wilson moved, seconded by Commissioner McKenney, that the City Commission adopt Resolution 10547 to allow the use of up to \$430,000 in Downtown Urban Renewal District Tax Increment Financing (TIF) funds and approve the accompanying Development Agreement for the rehabilitation of the Roberts Building located at 6 6th Street South.

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

Commissioner Tryon commented that the TIF money benefits the community as a whole. In 2021, the State Legislature passed SB 388 that amended state law to include workforce housing within the infrastructure types that are appropriate for TIF funding. Based on staff's analysis, need for housing and low-income housing, he is going to vote in favor, even though it may be the largest TIF request approved by the Commission.

Commissioner McKenney inquired if, after a period of time, the rents could go to market rates.

Deputy Director Hill clarified that the Housing Assistance Program is rolled forward for another 20-years and, therefore, the lower rents will be perpetuated for another 20-years.

Commissioner McKenney commented that the owner is going to pay for hotels for the residents for a period of three days while the units are being renovated. He intends to vote for this, as it is a strong asset for the community and Great Falls.

Commissioner Wilson added that, although it is currently housing for low-income residents and workforce, the building needs to be kept serviceable, updated, rehabilitated, and kept in the system.

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

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

15. CONSULTANT CONTRACT – GROWTH POLICY UPDATE.

Planning and Community Development Deputy Director Lonnie Hill reported that on December 22, 2023, a Request for Proposals (RFP) was issued to seek proposals from qualified consultant teams for a complete update to the Growth Policy of the City of Great Falls.

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Six (6) proposals were received from Burian & Associates, Cushing Terrell, ECONorthwest, Houseal Lavigne, SJC Alliance, and Orion Planning & Design.

The Consultant Selection Committee was made of representatives from multiple City Departments:

- Brock Cherry (PCD Director), Lonnie Hill (PCD Deputy Director), Andrew Finch (Senior Planning & Co-Project Manager)
- Chris Gaub (PW Director), Jesse Patton (City Engineer)
- Melissa Kinzler (Finance Director) Kirsten Wavra (Finance Deputy Director)
- and Brian Patrick (GFPS Business Services Director)

The Consultant Selection Committee evaluated and scored the proposals and subsequently interviewed the top three entities: Orion Planning & Design, Cushing Terrell, and ECONorthwest.

After a competitive interview process, the Consultant Selection Committee unanimously recommended Orion Planning & Design as the consultant for the Growth Policy Update.

The Growth Policy Selection Committee's recommendation is based on Orion Planning & Design's past work in similar communities both in and outside of Montana, their intimate knowledge of the newly adopted SB 382 '*Montana Land Use Planning Act*,' and their demonstrated ability to complete the requested work on time.

The City of Great Falls has allocated \$300,000 for the Growth Policy Update, which will be used to hire a consultant. In addition, Planning & Community Development will receive \$30,000 from the Montana Community Reinvestment Plan Act. Great Falls Public Schools has provided \$50,000 to go towards the Growth Policy. Thus, \$380,000 is currently allocated for the Growth Policy Update.

After multiple rounds of extensive negotiations, City Staff and Orion Planning & Design have come to an agreement on a proposed sum of \$371,184. City Staff has ensured that the Growth Policy Update will not only comply with state requirements but will also offer additional valuable services to include:

- Evaluating existing school district boundaries, conducting a thorough review of Great Falls Public Schools (GFPS) administration and growth projections, and determining future land acquisition needs as part of the existing conditions/issues/opportunities framework.
- Conducting a comprehensive market assessment that focuses on future growth trends, housing, and market sectors. It will also analyze the financial/administrative impact on service delivery, cost of development, and infrastructure decision-making (specifically schools).

The Growth Policy Selection Committee unanimously recommends Orion Planning & Design as the consultant for the Growth Policy Update.

Commissioner Tryon moved, seconded by Commissioner McKenney, that the City Commission approve the Professional Services Agreement with Orion Planning & Design in the amount of \$371,184 for services pertaining to the Growth Policy Update.

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

Jeni Dodd, City resident, commented that is a lot of taxpayer money just to update the Growth Policy. She inquired how many Great Falls Police Officers that same amount of money would fund.

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

Commissioner Tryon received clarification the City's allocation of \$300,000 is not coming out of the general fund; that it is from CARES money.

Commissioner Tryon inquired if the agreement was subject to change orders.

Deputy Director Hill commented that when the Growth Policy Update is presented to the Commission for adoption a year and a half from now, City staff could say this has been the greatest public outreach effort that has ever been made by the City of Great Falls. To negotiate the proposal amount down, City staff proposed to do certain outreach, such as what is set forth in the next agenda item, and will engage in a lot of the public outreach efforts. They also negotiated down travel fees for site visits. It may be anticipated, for example, through public outreach that a neighborhood plan or overlay district might be a good idea for a certain section of town. The Commission may take such an initiative after the Growth Policy is updated, since it was not specifically set forth in the scope of work in the contract.

Commissioner Tryon inquired about the remaining surplus amount of approximately \$8,000 and requested that staff be meticulous in keeping track of where the money goes.

Deputy Director Hill clarified that Planning and Community Development is also partnering with Public Works on a concurrent plan with the resiliency study.

Commissioner Wilson commented she came before the Commission a year ago about a particular project and ultimately was angry about the Growth Policy not being updated for 10 years. It is shocking to see how much it is going to cost, but the plan is extensive and staff did a great job vetting the proposals.

Commissioner McKenney inquired first initial steps.

Deputy Director Hill commented that the first step is approval of the contract, and formalizing the Steering Committee. The public outreach process will begin with working on focus groups. The consultant's first step will be to come to town to get a baseline of information, and begin analyzing data and prior adopted plans.

Commissioner McKenney further received clarification that state statute sets forth that each city is required to update its growth policy every 10 years, with a five-year review. The final product is anticipated to be before the City Commission by Christmas of 2025.

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

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Motion carried 4-0.

16. GROWTH POLICY UPDATE STEERING COMMITTEE.

Planning and Community Development Deputy Director Lonnie Hill reported that the Growth Policy Steering Committee's objective is to ensure the involvement of a diverse range of groups, entities, disciplines, and citizens throughout the Growth Policy process.

Members will provide input and feedback at each stage of the planning process, including the preliminary plan vision and goals, guiding principles, base concepts, development, strategies, element policies, priority actions, implementation strategies, and recommendations.

The City began accepting applications for the Growth Policy Steering Committee on March 26, 2024 and closed the application process at 5 PM on April 12, 2024.

The City received 58 applications from community members interested in serving on the Growth Policy Steering Committee.

To determine membership in a fair way, the Mayor and each City Commissioner provided up to five recommendations for each Growth Policy "interest area," ranked in order of preference. Staff then assigned a numerical value to each recommendation (the #1 preferred applicant received 5 points, #2 received 4 points, #3 received 3 points, and so on).

This selection method resulted in the proposed candidates being recommended to the Growth Policy Steering Committee:

1. Rick Tryon, City Commissioner (selected by requested group)
2. Heather Hoyer, GFPS Superintendent (selected by requested group)
3. Brett Doney, GFDA CEO (selected by requested group)
4. TBD, Malmstrom Air Force Base Representative (selected by requested group)
5. Katie Hanning – Housing & Development
6. Kris Cron – Business & Industry #1
7. Michael Hallahan – Business & Industry #2
8. Brian Kaufman – Business & Industry #3
9. Tom Heisler – Agriculture & Environment
10. Abigail Hill – Public Health & Medical
11. Dr. Stephanie Erdmann – Higher Education & Adult Training
12. Spencer Woith – GF Citizen Interests #1
13. Carol Bronson – GF Citizen Interests #2
14. Wayne Klind – GF Citizen Interests #3

Commissioner McKenney moved, seconded by Commissioner Wilson, that the City Commission approve the recommended appointments herein to the City of Great Falls Growth Policy Update Steering Committee.

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

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Jeni Dodd, City resident, commented this is the most absurd item on the agenda. She read from a prepared statement indicating this committee is far from inclusive, that there should have been representation of young families working multiple service industry jobs and seniors on fixed incomes.

Josh Butterfly, Prayer Warriors Tribal Council, commented that the council is fighting for the census fraud that took place at the Department of Corrections and Cascade County Detention Center in 2011 and 2020. He provided a handout with a QR code about elder abuse in Great Falls.

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

Commissioner Wilson commented that she reviewed every application. The selection process was fair.

Commissioner McKenney commented that he is comfortable with the final selection. At least eight of the 14 names are from the private sector. Many of those names are the type of folks that will be implementing the Growth Policy.

Commissioner Tryon commented that the people he knows on the proposed steering committee are average, hardworking people with a stake in the community. There was a fair process of picking from people that applied. He also noted that the steering committee is advisory and will not be making final decisions on the Growth Policy.

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

Motion carried 4-0.

ORDINANCES/RESOLUTIONS

CITY COMMISSION

17. APPOINTMENTS, GREAT FALLS CITIZEN'S COUNCIL.

Commissioner McKenney moved, seconded by Commissioner Wilson, that the City Commission appoint Commissioner Tryon and Mayor Reeves to serve on the Great Falls Citizen's Council, also known as Council of Councils, for the May 28, 2024 meeting.

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

Motion carried 4-0.

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Wilson announced Memorial Day Ceremonies on May 27th at the Montana Veterans Memorial and Highland Cemetery. American Legion Post 3 will put the flags up on Central Avenue for Memorial Day, Flag Day, July 4th and Veterans Day.

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19. COMMISSION INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Reeves, to adjourn the regular meeting of May 21, 2024, at 8:26 p.m.**

Motion carried 5-0.

Mayor Cory Reeves

City Clerk Lisa Kunz

Minutes Approved: June 4, 2024