

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

Regular City Commission Meeting

Mayor Pro Tempore Wolff presiding
Commission Chambers, Room 206

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Joe McKenney, Rick Tryon, Shannon Wilson, and Susan Wolff. Mayor Cory Reeves was excused. Also present were City Manager Greg Doyon; Public Works Director Chris Gaub; Finance Director Melissa Kinzler; Deputy City Attorney Rachel Taylor; Police Captain Doug Mahlum; and Deputy City Clerk Darcy Dea.

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.

COMMUNITY INITIATIVES

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

No one attended to provide an update.

PETITIONS AND COMMUNICATIONS

2. **Ben Forsyth**, City resident, provided and discussed The Complete Text of Initiative No. 190 and Recommended Laws handouts with regard to recreational marijuana and cannabis.

John Hubbard, City resident, discussed issues with local and state government, as well as his opposition to tax increases.

Jeni Dodd, City resident, expressed concern that some of the Commission are not sensitive or responsive to the concerns and questions of the public, per the Official Code of the City of Great Falls (OCCGF). She commented that at a previous commission meeting, Commissioner Tryon had stated that the Department of Revenue (DOR) and State determines the amount citizens pay in taxes for the City. Ms. Dodd read from an August 1, 2024 letter by Governor Gianforte about property taxes rising too much because local governments grow their spending at alarming rates. Ms. Dodd further read from an article in the Montana Sentinel about how citizens should implore their City Commission to stop presenting to its citizens the approval of any further bonds, levies and other property tax increases, no matter their reasoning.

Patrick Propp, Parkdale resident, provided a list of questions from concerned citizens about Great Falls Housing Authority (GFHA) removing screen doors. Mr. Propp also indicated that he dropped off additional documents earlier today in the City Manager's office. He requested the Commission's

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

help to create some oversight with regard to Great Falls Housing Authority (GFHA) removing screen doors. Mr. Propp concluded that GFHA is throwing away \$300,000 worth of screen doors.

NEIGHBORHOOD COUNCILS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS AND COMMISSIONS

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

CITY MANAGER

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon made the following announcements:

- The Alliance for Youth, Great Falls Rescue Mission and United Way hosted a Back 2 School Blast event on August 16, 2024 to help kids get ready for the new school year. There were approximately 226 volunteers and 1,900 participants.
- A consultant team from Orion Planning and Design will be in the community on August 21, 2024 to better understand the City and have conversations with stakeholder groups about the Growth Management Plan.
- The Public Works and Planning and Community Development Departments have retained Roadway Asset Services LLC to provide professional asset management mobile data collection services on citywide pavement conditions. The data will be used to develop an asset management plan for the street and trail network.

CONSENT AGENDA.

6. Minutes, August 6, 2024, City Commission Meeting.
7. Minutes, August 6, 2024, Special City Commission Meeting.
8. Total Expenditures of \$5,825,387 for the period of July 18, 2024 through August 7, 2024, to include claims over \$25,000, in the amount of \$4,648,976.
9. Contracts List.
10. Approve the Final Payment for the 7th Avenue Northwest Street Reconstruction, in the amount of \$34,972.27 to United Materials of Great Falls, Inc., and \$353.26 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1806.1**

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

11. Approve the Final Payment for the Central Ave/3rd St Drainage Improvements Phase 1 project, in the amount of \$159,458.96 to Ed Boland Construction and \$1,610.72 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1779.0**
12. Approve the Final Payment for the Lower Northside Water Main Replacement Phase 2 project, in the amount of \$93,631.17 to United Materials of Great Falls Inc. and \$945.77 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1467.1**

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

Mayor Pro Tempore Wolff asked if there were any comments from the public. Hearing none, Mayor Pro Tempore Wolff asked if there was any discussion amongst the Commissioners.

Referring to agenda items 10, 11 and 12, Mayor Pro Tempore Wolff commented that she always likes final payments.

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

Motion carried 4-0.

PUBLIC HEARINGS

13. **RESOLUTION 10556 TO LEVY AND ASSESS THE GENERAL BOULEVARD DISTRICT NO. 3570.**

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

Finance Director Melissa Kinzler reported that the Park and Recreation Department, Natural Resources - Boulevard Division, is responsible for the care and maintenance of over 15,000 street trees located within the General Boulevard District. Services provided within the District are pruning, removal, planting, and streetscape design.

After calculating all factors pertinent to the operation of the Boulevard Division, an assessment amount of \$510,788 was calculated, proposed and presented to the City Commission for approval in the FY 2024 adopted budget. The boulevard assessment is increasing 6% or \$6.11 for the average size lot to cover the increased costs of operations (personnel, tree planting, fuel, etc.) and will result in an assessment of approximately \$107.97 for the average size lot of 7,500 square feet.

Mayor Pro Tempore Wolff asked if there were any comments from the public in support of Resolution 10556. Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10556.

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10556.

John Hubbard, 615 7th Avenue South, spoke in opposition to increased taxes.

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

Commissioner Tryon moved, seconded by Commissioner McKenney, that the City Commission adopt Resolution 10556.

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.

14. RESOLUTION 10557 TO LEVY AND ASSESS GREAT FALLS PARK DISTRICT NO. 1.

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

Finance Director Melissa Kinzler reported that on June 5, 2018, the City Commission adopted Resolution 10238 creating the Great Falls Park District Number 1. The boundaries of the District are the current incorporated limits of the City, as well as all properties later annexed thereto.

The Park District's overall purpose is to utilize assessment dollars and direct those monies to maintenance and management of City-owned parks and park areas. The Park District's revenue may not be used for programming. The cost of the proposed improvements for the Great Falls Park District No. 1 is \$1.5 million dollars annually. FY 25 is year seven of the assessment with no increase. Based on 2023 valuations, the estimated annual assessment for a \$100,000 market value property would be \$19.04. For a \$200,000 market value property, the estimated annual assessment would be \$38.08, for a \$300,000 market value property, the estimated annual assessment would be \$57.12, and for a \$600,000 market value property, the estimated annual assessment would be \$114.24.

Mayor Pro Tempore Wolff asked if there were any comments from the public in support of Resolution 10557.

Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10557.

Jeni Dodd, City resident, commented that before the Park District passed in 2018, the City claimed the levy would cost the taxpayers \$1.5 million a year for three years and that the amount of the assessment could be adjusted annually. The purpose of the Park District was to address the \$12.6 million deferred maintenance and some operational needs identified in the park masterplan, not to expand the existing park system. However, the existing park system was expanded by adding the

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

Scheels Aim High Big Sky Aquatic and Recreation Center, and there was an increase in park fees. Ms. Dodd expressed concern about the leadership of the Park and Recreation Department because the majority of the City's troubled funds are from the Parks Department.

John Hubbard, 615 7th Avenue South, spoke in opposition to increased taxes.

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

Commissioner Tryon moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10557.

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

Commissioner Wilson pointed out the Park and Recreation Department struggles because things are so expensive. Citizens buy into this community and the City needs to be maintained to ensure it stays in good shape. She concluded that she enjoys living in a community where street lights, streets, and parks are maintained.

Commissioner Tryon pointed out that Park District No. 1 was passed by the voters. He commented that the Park District assessment has not increased and is needed for maintaining the community parks.

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

Motion carried 4-0.

15. **RESOLUTION 10558 TO LEVY AND ASSESS PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICTS.**

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

Finance Director Melissa Kinzler reported that there are currently 27 Special Improvement Lighting Districts with approximately 9,429 roadway lights. The purpose of the Special Improvement Lighting District Fund is to maintain the lights and poles and furnish electrical supply for the lighting districts throughout the year and throughout the City.

The assessment amount for the Special Improvement Lighting District funds for FY 2025 is \$1,414,060, which reflects an aggregate 6.7% increase from the prior fiscal year. She noted that not all districts would have an increased assessment. Only those districts without a sufficient cash balance to cover the cost of operations will be increased. Many districts have been using their fund balance in recent years to offset assessment increases.

Mayor Pro Tempore Wolff asked if there were any comments from the public in support of Resolution 10558.

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10558.

John Hubbard, 615 7th Avenue South, spoke in opposition to increased taxes and the need for additional light poles.

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

Commissioner McKenney moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10558.

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.

16. RESOLUTION 10559 TO LEVY AND ASSESS THE PORTAGE MEADOWS MAINTENANCE DISTRICT NO. 1195.

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

Finance Director Melissa Kinzler reported that in February 1977, the Commission adopted Resolution 6913 that created the Special Improvement Maintenance District 1195 for the purpose of maintaining the Green Belt of the Portage Meadows Addition. The assessment covers the costs of materials, snow removal labor, water, mowing labor, fertilizer costs and labor, and tree pruning, which was part of the original Planned Unit Development.

The estimated assessment is a total of \$75,538, and will result in an annual assessment of approximately \$403.90 for an average lot of 4,501 square feet. For Fiscal Year 2025, the Portage Meadows assessment is increasing 5% or \$19.23 for the average size lot to cover the increased costs of operations (personnel, fuel, maintenance of the irrigation system, etc.). The last Portage Meadows Maintenance District increase of 5% was approved in Fiscal Year 2024.

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

Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in support of Resolution 10559.

Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10559.

John Hubbard, 615 7th Avenue South, spoke in opposition to increased taxes.

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

Cheryl Scheer, City resident, commented that she has asked the Commission at prior City Commission meetings not to increase taxes; however, she believes that the Commission does not care, makes its own decision and does not listen to the people. The City could have the greatest parks, but people are losing their homes because of increased taxes.

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

Commissioner Tryon moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10559.

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

Referring to Ms. Scheer's comments, Commissioner Tryon responded that to suggest the Commission does not care or listen to citizens is absurd. He listens to and considers all public comment; however, the City's parks and infrastructure needs to be maintained. He is not going to let the City fall apart on his watch. The Commission does not get paid, is not here for any other reason than to serve the community and does what is responsible, not what is popular.

Commissioner Wilson commented that City staff is prudent with regard to how money is spent. Increased property tax is the fault of the Montana State Legislature, because it allows taxes to decrease for large businesses and hits the small businesses and property owners.

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

Motion carried 4-0.

17. **RESOLUTION 10560 TO LEVY AND ASSESS THE STREET MAINTENANCE DISTRICT.**

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

Finance Director Melissa Kinzler reported that the Street Division maintains approximately 393 miles of streets and alleys within the City limits. Maintenance consists of pavement rehabilitation and restoration, street cleaning, snow and ice removal, and alley maintenance. In addition, the Traffic Operations Division is responsible for the maintenance of all roadway signs, signals and pavement markings.

After calculating all factors pertinent to the operation of the Street Maintenance District, an assessment amount for the next fiscal year was calculated and presented to the City Commission for approval in the FY25 adopted budget. A 10% increase is proposed for FY25. The last street maintenance assessment increase was 10% was in 2024. The 10% increase in the FY 25 budget will allow for pavement preservation to continue at the same rate and the budget for material costs will be adequate to account for inflation

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

The estimated increase is \$12.11 for an average size lot of 7,500 sq. feet. The total estimated assessment for the District is \$5,545,751.

Mayor Pro Tempore Wolff asked if there were any comments from the public in support of Resolution 10560.

Hearing none, Mayor Pro Tempore Wolff asked if there were any comments from the public in opposition to Resolution 10560.

John Hubbard, 615 7th Avenue South, spoke in opposition to increased taxes. Mr. Hubbard commented that he has not seen improvements on any of the streets.

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

Commissioner Wilson moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10560.

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

Commissioner McKenney commented that if government is run like a business, when the price of goods and services increases, adjustments have to be made. The community has been making these adjustments for decades based on the tax code and inflationary tax rate, and these increases in taxes just keep the City even.

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

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

18. RESOLUTION 10553 – ANNUAL TAX LEVY.

Finance Director Melissa Kinzler reported that the City Commission is required to fix an annual tax levy by setting mills to generate property tax revenues that will balance the General Fund budget and other levy supported funds. The City received its taxable valuation from the Montana Department of Revenue (MTDOR) on August 5, 2024. With this valuation, the City can now compute and set its annual mill levy.

The total mill levy for Tax Year 2024 (FY 2025) is 20.35 mills totaling \$27,797,669. This includes mills for the general levy of 160.96 mills, totaling \$21,271,196. The Permissive Medical Levy 432.39 mills, for \$4,279,889. The Great Falls Public Library totaling 17 mills, which will generate \$2,246,584. The City's total taxable value is \$137,509,226. The taxable value per mill increased slightly from \$131,816 in FY 2024 to \$132,152 in FY 2025, an increase of .25%. The MTDOR provides no specific project or development that attributes to this increase. Changes to the tax base

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

(e.g. increases from development) are not distinguishable. Tax Year 2024 (FY 2025) was not a re-valuation year for residential properties, which are on a two-year cycle. The next revaluation year for residential properties will be next year, Tax Year 2025 (FY 2026).

During the pandemic, the City did not utilize any available tax increases in FY 2021 or FY 2022. Since FY 2023, in an effort to stabilize the General Fund undesignated fund balance, the City has utilized all available increases for the inflationary factor and permissive medical levy. The FY 2025 budget was adopted by the City Commission using the full inflationary factor and permissive medical levy available. This tax levy resolution incorporates both.

This year's newly taxable property reported by the MTDOR will generate additional revenue of \$710,064. During the FY 2025 budget adoption process, the Finance Department projected the City's newly taxable property revenue would be \$400,000. The projection was based on a 23-year average of newly taxable property. No particular development project can be identified for this newly taxable property. This additional revenue of \$310,064 not included in the FY 2025 Adopted Budget will be used to offset any uncollected taxes throughout the year, offset any appeals or protests, and/or contribute to the General Fund unreserved fund balance. The fund balance policy is 22% and the Adopted Budget projected ending fund balance is 24.5%.

The City anticipates property assessment appeals/abatement requests, which means the City will not definitively know how much of this new projected tax revenue will be available until those appeals/abatement requests are processed. The City has a large ongoing appeal outstanding that could have a material effect on the valuations once settled, according to the MTDOR. A mill levy recertification may be warranted if the appeal is completed timely, or the City will have to compensate for any decreased revenue as a result of the appeal determination.

Based on the new certified mill value, the increase for the property owner of a \$100,000 market value home would be \$8.99, a \$200,000 market value home would be \$17.98, a \$300,000 market value home would be \$26.97, and a \$600,000 market value home would be \$53.94 a year.

State law requires that the City adopt a FY 2025 Budget which includes setting the annual mill levy amounts on or before the first Thursday after the first Tuesday in September or 30 days after receiving taxable valuation from the Montana Department of Revenue, whichever is later.

Commissioner Tryon moved, seconded by Commissioner McKenney, that the City Commission adopt Resolution 10553.

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

Jeni Dodd, City resident, stated that she is tired of being insulted by Commissioner Tryon every time she makes comments and if he cannot take the heat, then get out of the kitchen. Ms. Dodd is also tired of paying more taxes when Tax Increment Financing (TIF) districts do not have to pay as much. She inquired why the City does not use all of its Community Development Block Grant (CDBG) money for City needs, instead of giving it to Non-Governmental Organizations (NGO) partners. Ms. Dodd concluded that she is not sure how to keep her home nice if she has to pay for the city to be nice. Several citizens are on fixed incomes and people are tapped out.

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

John Hubbard, 615 7th Avenue South, commented that over taxation will result in squeezing people out of their property. Mr. Hubbard added that the City Commission is paid.

Cheryl Scheer, City resident, reiterated that there are several citizens on fixed incomes that are being taxed out of their homes. She commented that she does not question the hard work the Commission puts in; however, feels that the Commission does not listen because it passes everything. The unpopular decision would be to say no to some of these tax increases and the Commission needs to start thinking of the citizens, as well as the City. Ms. Scheer added that she does not appreciate being yelled at, reprimanded and treated so disrespectfully at a Commission meeting and that she is a tax-paying citizen. She appreciated Commissioner McKenney explaining things and not being yelled at.

Ben Forsyth, City resident, commented that some of the Commission members are the most ethical, logical and sensible people. Mr. Forsyth commented that Commissioner Tryon has good logic about taxation and supports that even though he has to pay more in taxes.

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

Commissioner Tryon explained that it is not his intention to berate citizens; however, it gets frustrating when the Commission is berated and City staff is insulted week after week by the same individuals at Commission Meetings. The assessments voted on tonight deal with specific districts and the funds pay for maintenance within those districts. The increase for taxpayers is based on the valuation of their property and that valuation is determined by the MDOR, not the City. The tax rate applied to the various property categories, as well as the legally allowable inflationary factor percentage and permissive medical levy factor, are limitations determined and imposed on local jurisdictions by the State Legislature, not the City. The Commission hands are tied with regard to what it can and cannot do. Commissioner Tryon concluded that if people do not like the amount of property tax they are paying, they need to talk to their state legislators and ask them to do something to change the state tax code.

Mayor Pro Tempore Wolff commented that these increases affect the Commission as well. Paying taxes are the dues to live in a just society; however, it can have an impact on citizens. For two years, the City did not increase taxes during the pandemic, which put the City even further behind. All the City can raise in its tax levy is half of the rate of inflation over a three year average. With the increased cost of goods and services, the City keeps going backwards. The Commission serves because they love the community and public comment is important. Mayor Pro Tempore Wolff concluded that she respects every City department and employee for their leadership.

Commissioner Wilson commented that she voted against the tax increase a few meetings back to make a statement that the tax increase was the fault of the Montana State Legislature. They failed to do the equalization that was necessary to keep the taxes equal between big businesses, small businesses and property owners. The City needs to be maintained and City departments are doing the best they can. She reiterated that citizens should contact the governor and state legislators if they are unhappy with the tax increase.

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

JOURNAL OF COMMISSION PROCEEDINGS

August 20, 2024

Motion carried 4-0.

CITY COMMISSION

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Wilson reported that 384 surveys were included on the July 18, 2024 Point-in-Time Count with regard to determining the number of unhoused citizens in the community.

20. 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 August 20, 2024, at 8:25 p.m.**

Motion carried 4-0.

Mayor Pro Tempore Wolff

Deputy City Clerk Darcy Dea

Minutes Approved: September 3, 2024