

JOURNAL OF COMMISSION PROCEEDINGS
September 17, 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, Public Works Director Chris Gaub, Planning and Community Development Deputy Director Lonnie Hill, Finance Director Melissa Kinzler, City Attorney David Dennis, Deputy Chief – EMS Jeremy Virts, 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.

PETITIONS AND COMMUNICATIONS

1. **Sandy Rice**, City resident, discussed low literacy skills being a common factor among individuals in custody in the United States. She inquired why the City Commission would reallocate funds from the Library to undetermined safety programs. The Library’s youth outreach programs are safety programs. The Library’s two safety specialists are trained in de-escalation techniques. Since their hiring, police calls to the Library have dropped dramatically.

Gerry Jennings, City resident, commented that she doesn’t believe it is just to take away money that people voted to give to the Library. She recommended that the City Commission members attend the Library programs and to go for a walk to see the children’s stories in Gibson Park. She urged the Commission to not remove money from the Library.

Bill Tacke, City resident, discussed the history and funding support of the Library since 1892, including the City’s agreement to provide at least 7 mills, and the subsequent 2 mills and 15 mills approved by the voters. To take away the 7 mills now comes across to the voters as a “bait and switch.” He urged the Commission to consider the Library Board’s alternative proposal of 4 ½ mills per year of funding instead of 7 mills.

NEIGHBORHOOD COUNCILS

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

BOARDS AND COMMISSIONS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Lenore Harris, City County Health Department, provided dates and times for walk-in flu and

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Covid-19 shot clinics, beginning September 18th to October 25th.

CITY MANAGER

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon made the following announcements:

- Brian Black was promoted to the rank of captain at the Great Falls Police Department to oversee the Investigations Bureau.
- Matt Fleming was promoted to the rank of lieutenant at the Great Falls Police Department and will be assigned to the training office.
- The Utility Department payment software that has been in transition over the last several months is complete. Citizens can now access the portal to view and print their bills, as well as make payments, enroll in e-billing, schedule future payments or set up an auto-pay using a debit or credit card.
- With regard to water billing, there is usually a two-week period between when the meter is read and the customer is billed. The service days for billing range from 23 to 37 days. When a customer's monthly usage goes over 600 cf, there is an increase in the cost per 100 cf. Customers that have water bill questions are encouraged to contact the Finance Department at 406.727.7660.
- Public Works Environmental Division partnered with Veolia to hold a household hazardous waste collection event on September 14 to avoid those products going in the landfill. They collected 165 gallons of hazardous waste, six propane tanks, batteries and electronics. The next event will be in April 2025.

Commissioner Tryon commented that, if a customer uses 600 cf of water per month the rate is \$2.23, and if the 600 cf of water is exceeded the rate goes up to \$3.73 per 100 cf. For future consideration, he asked if it would be possible to do an incremental increase instead of the jump of \$1.50 per 100 cf if 600 cf is exceeded.

Director Kinzler responded that a rate study was conducted in FY 2018 and 600 ccf was determined to be the break-even point for essential uses. Changes can be looked at during the annual rate review.

CONSENT AGENDA.

5. Minutes, September 3, 2024, City Commission Meeting.
6. Total Expenditures of \$2,058,736 for the period of August 22, 2024 through September 4, 2024, to include claims over \$25,000, in the amount of \$1,446,653.
7. Contracts List.

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8. Approve a construction contract in the amount of \$365,105.00 to Olympus Technical Services, for the Missouri River North Bank Stabilization, Phase 2. **OF 1693.1**
9. Set a public hearing for October 1, 2024 on Resolution 10562, Amending Land Development Application Fees associated with Title 17 of the Official Code of the City of Great Falls (OCCGF) to include a new fee for a Zoning Verification Letter.

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

10. FRANKLIN SCHOOL APARTMENTS (MULTIFAMILY) AFFORDABLE HOUSING PROPOSAL.

Mayor Reeves opened the public hearing and asked for presentation of the agenda report.

Kassy Buss, Bjornson Jones Mungas PLLC, reported that Franklin School Partners, LP, is applying for Low-Income Housing Tax Credits (“LIHTCs”) from the Montana Board of Housing to finance the preservation of Franklin School Apartments as affordable housing, and is planning to apply for the exemption from real property taxes available to qualifying low-income housing tax credit projects under Mont. Code Ann. § 15-6-221. As a part of the requirements related to such applications, Franklin School Partners, LP, is required to solicit public comment on whether the proposed qualifying low-income rental housing property meets a community housing need. This is the public’s opportunity to comment on the proposal.

Ms. Buss reviewed and discussed the following PowerPoint slides about the proposed project. The goal of the presentation is to solicit comments from the Commission and public on this proposal to be forwarded with their application to the Board of Housing that funds these projects.



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Franklin School Apartments

Location:
820 1st Avenue SW
813 & 821 2nd Avenue SW
Great Falls, MT

AH

VITUS

Preservation of Current Housing

Rehabilitation and Updates

- Energy efficient upgrades, such as replacing the plumbing fixtures with low flow fixtures, replacing lighting fixtures with high efficiency lighting, and applying certain appliances with ENERGY STAR qualified appliances.
- Evaluation and completion of necessary safety improvements, including smoke detectors, fire extinguishers, and other security features.
- Rehabilitation and upgrades to elevator, heating, office, and laundry area.
- Modifications and improvements to common spaces and building exteriors to improve ADA accessibility.

Affordability restrictions:

- Seeking an assignment and renewal of the HAP contract to preserve the affordability of the homes for years to come.
- Rent and income restrictions through a Montana Board of Housing Declaration of Restrictive Covenants for Low-Income Housing Credits that will continue to restrict the property and require the units be rented to income-eligible tenants at reduced rental rates.
- Targeting tenants at 50% and 60% of Area Median Income.

Community Housing Needs

Pursuant to the requirements under Montana Code Ann. § 15-6-221, the parties are holding a public hearing to solicit comment on the project in relation to community housing needs.

You are also encouraged to submit comments regarding the need for affordable multi-family rental housing in your area to:

Montana Board of Housing,
PO Box 200328
Helena, MT 59620-0328
FAX (406) 841-2841

Questions?

Kassie J. Buss
Bjornson Jones Mungas, PLLC
2809 Great Northern Loop, Suite 100
Missoula, MT 59808
(406) 721-8896
kassie@bjornsonlaw.com

30+ YEARS OF EXPERIENCE
127 APARTMENT UNITS
60 COMMUNITIES

AH

VITUS
By the numbers
25+ YEARS OF EXPERIENCE
100+ COMMUNITIES
25,000+ RESIDENTS

BJM BJORNSON JONES MUNGAS PLLC

Mayor Reeves asked if the Commissioners had any questions of Ms. Buss. Hearing none, Mayor Reeves asked if there were any comments from the public in favor of or in opposition to the Franklin School Apartments affordable housing project proposal.

Jake Clark, Great Falls Development Alliance (GFDA), submitted written comments in support of the Franklin School Apartment project. Mr. Clark reported that housing production in Great Falls is the number one priority of GFDA because it is the best way to keep the cost of living affordable in the region. Low-income housing preservation projects, such as this one, direct federal funds into Great Falls at the discretion of the Montana Board of Housing. This is the only process for Low Income Housing Tax Credits to be deployed in Great Falls.

The most recent Housing Market Demand Assessment for Great Falls highlighted the demand for 650 units of housing per year through 2034. This project would help improve the living conditions and preserve the availability of 40 income restricted housing units in Great Falls that might otherwise turn to market rate.

Shyla Patera, City resident, submitted written comments in support of the Franklin School Apartment project. Ms. Patera believes that if the Franklin School Apartments were to become a low income tax credit unit building it would help ease some of the housing issues in Great Falls. She is hopeful that the development team will continue to explore options which expand accessibility and universal design for the Franklin School Apartment building, and all newly constructed and renovated housing stock.

She suggested the City needs to take action regarding how low income citizens and those that use the MOD Rehab programs are going to participate further in this building without Section 8 support or HCV vouchers. She is hoping the Great Falls City Commission, developers and other interested

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parties are discussing the statewide Section 8 waitlist reopening with state officials, because Section 8 and MOD Rehabilitation units have been vital in getting people permanently housed.

Ms. Patera also suggested traffic calming devices around the Franklin School Apartments as the building is near Central Avenue West.

Mayor Reeves closed the public hearing.

Commissioner McKenney commented that affordable housing and the upgrades are needed. He inquired what happens to the residents during the upgrades.

Ms. Buss responded that the parties work with the Board of Housing on a rehabilitation plan to provide minimal disruption to the tenants. If tenants need to be displaced it would be for a week or less at a time in all likelihood. They would be provided housing accommodations and meals during the time they are displaced from their units.

Commissioner Tryon inquired the mission of Bjornson Jones Mungas PLLC.

Ms. Buss responded that she is a partner at Bjornson Jones Mungas. The bulk of her work has been dedicated to affordable housing projects, low income housing tax credit projects, and Section 8-type projects all over Montana.

Commissioner Tryon inquired if the firm's work was done pro bono.

Ms. Buss clarified that their work is not pro bono, but they do work with a lot of different agencies and non-profits that can help provide resources. The client, Vitus, pays her billable hours. The Foundation for Affordable Housing is the non-profit that Vitus is partnering with.

Commissioner Tryon inquired if the Franklin School Apartments has been a tax exempt property.

Ms. Buss responded that it is a current low income housing tax credit project. The current owners are in the process of selling the property to the Vitus group and Foundation for Affordable Housing. She will follow up with the Commission about whether the current status is property tax exempt.

Commissioner Tryon responded that he didn't notice in the fiscal notes whether or not the City would lose the tax base from that property. One of the issues the City and other communities has is a large number of tax exempt, non-profits that benefit from public safety and other public utilities but don't contribute to the property tax base. He inquired how that status would change from the current owners and the new owners.

Ms. Buss concluded that, although the City would lose the tax base of affordable housing projects, it also provides a lot of resources that can alleviate some of the tax burden in other areas.

ORDINANCES / RESOLUTIONS

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11. RESOLUTION 10554 TO LEVY AND ASSESS PROPERTIES WITHIN THE BUSINESS IMPROVEMENT DISTRICT (BID).

Finance Director Melissa Kinzler reported that the initial creation of the BID was in 1989. It was renewed in 1999, 2009, and 2019, each for periods of 10-years by petition of the property owners within the District.

The Business Improvement District's overall purpose is to utilize assessment dollars through the BID to improve and revitalize the downtown area. On July 16, 2024, as required by Mont. Code Ann. § 7-12-1132(3), the BID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district. Following that public hearing, the City Commission adopted the BID's FY 2025 Work Plan and Budget.

The assessment formula for 2024/2025 will generate \$301,476.71 in assessment revenue for the BID. This is a decrease of \$3,973.75 from the previous year.

Adoption of Resolution 10554 is the final step in the process of setting the BID assessment.

Commissioner McKenney moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10554.

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

Motion carried 4-0.

12. RESOLUTION 10555, TO LEVY AND ASSESS PROPERTIES WITHIN THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) NO. 1307.

Finance Director Melissa Kinzler reported that the initial creation of the TBID was in 2008. On February 6, 2018, the City Commission approved Resolution 10222 re-creating said TBID for a duration of ten (10) years. TBID's overall purpose is to promote tourism, conventions, trade shows, and travel to the City of Great Falls through the use of assessment revenue.

At a public hearing held on July 16, 2024, the TBID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district. Following the public hearing, the City Commission adopted the 2024/2025 Work Plan and Budget for the TBID.

The assessment amount requested by the TBID through their Work Plan and Budget was \$730,465. The actual assessment for Fiscal Year 2024/2025 based on the assessment formula will generate \$760,254 in assessment revenue. Last year, the total assessment billed was \$769,457, a decrease of \$9,203 from last fiscal year.

Adoption of Resolution 10555 is the final step in the process of setting the TBID assessment.

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Commissioner Wilson moved, seconded by Commissioners McKenney and Tryon, that the City Commission adopt Resolution 10555.

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

Motion carried 4-0.

CITY COMMISSION

13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

14. 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 September 17, 2024, at 7:35 p.m.**

Motion carried 4-0.

Mayor Reeves

City Clerk Lisa Kunz

Minutes Approved: October 1, 2024