

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Bob Jones, Bill Bronson, Tracy Houck and Fred Burow. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Park and Recreation Interim Director Patty Rearden; Fiscal Services Director Melissa Kinzler; Fire Chief Steve Hester; City Attorney Sara Sexe; and, Police Chief Dave Bowen.

AGENDA APPROVAL: City Manager Greg Doyon commented that a proclamation for Vets4Vets Month was added to the agenda after original posting. No additional changes were proposed by the City Manager or City Commission. The agenda was approved.

PROCLAMATION: Commissioner Jones read Vets4Vets Proclamation.

**** Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of this meeting for additional detail. ****

PETITIONS AND COMMUNICATIONS**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Richard Liebert, 289 Boston Coulee Road, announced that the opening ceremony for Vets4Vets Stand Down is September 28th and September 29th at the Montana Expo Park. Mr. Liebert commended the Commission for their letter of support with regard to Charlottesville, Virginia. He further commented that he would like to see the City join with the Climate Paris Accord. Mr. Liebert concluded that the Cascade Conservation District is waiting to hear news regarding the Federal Emergency Management Agency (FEMA).

Jeni Dodd, 3245 8th Avenue North, commented she is angry about feeling discriminated against in Great Falls, and she opined that the Commission rubber stamps appointees to Advisory Boards and business contracts.

Mayor Kelly responded that businesses that do business with the City are an open and transparent situation and the City Commission talks about those processes during Commission meetings.

NEIGHBORHOOD COUNCILS**2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from Neighborhood Councils.

BOARDS & COMMISSIONS**3. APPOINTMENTS, GREAT FALLS PLANNING ADVOSORY BOARD.**

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission appoint Patrick Sullivan to the remainder of a three-year term ending on December 31, 2017, to the Great Falls Planning Advisory Board.

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public.

Jeni Dodd, 3245 8th Avenue North, expressed concern with regard to the vagueness of the applicant's experiences on the application. She further opined that she was discriminated against by Mr. Sullivan and Commissioner Houck with regard to the Out West Art Show.

Commissioner Bronson responded that Mr. Sullivan's application was vetted by the Planning Advisory Board. The Planning Advisory Board made this recommendation.

Patrick Sullivan, 2912 2nd Avenue North, thanked the Commission for its consideration of his appointment. He reported that he did work for the Arvon project over a year ago. The Out West Art Foundation is a 501(c)3 non-profit and his job was helping all of the artists in the show.

Commissioner Houck clarified that she has not been involved with the Out West Art Show for the last couple of years. She had no authority over the organization.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

There were no miscellaneous reports and announcements from members of boards and commissions.

CITY MANAGER**5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Doyon reported that he had attended the grand opening of the Montana Egg facility. City Manager Doyon congratulated the Hutterite Colonies for making an investment in the City.

Park and Recreation Director interviews for three candidates will be conducted on September 21st and September 22nd.

City Manager Doyon reported that he had two conference calls with the Association of Defense Communities with regard to the National Defense Authorization Act as well as a Base Realignment And Closure (BRAC). City Manager Doyon further reported that a BRAC was removed from the budget authority for the military, and explained that another run at a BRAC would be in 2019 in order for a BRAC to occur in 2021.

City Manager Doyon reported that the Annual City Audit is underway. He further reported that Human Resource Manager Gaye McInerney was his guest on the KGPR radio program, Great Falls Today.

City Manager Doyon as well as other City Staff attended a Webinar through the International City Manager's Association (ICMA) with regards to maintaining your best boards. A highlight of the Webinar was the challenge to get citizens to fill vacancies on Boards and Commissions.

There was a second session with Montana Public Employees Association (MPEA) with regard to labor negotiations, and he further mentioned that there would hopefully be a draft agreement to bring to the Commission in November.

CONSENT AGENDA.

6. Minutes, September 5, 2017, Commission meeting.
7. Total Expenditures of \$3,577,767 for the period of August 15, 2017 through September 6, 2017, to include claims over \$5,000, in the amount of \$3,157,425.
8. Contracts list.
9. Award a contract in the amount of \$113,498.00 to Phillips Construction, LLC. for the 3rd Avenue Southwest Lift Station #18 Force Main Replacement, and authorize the City Manager to execute the construction contract documents. **OF 1695.4**
10. Approve the purchase of one new 2018 AT237S cab, chassis, utility body and aerial lift truck for \$108,765 from Altec Industries, Inc., through NJPA (National Joint Powers Alliance).
11. Approve final payment for the 36th Avenue NE Improvements Phase 2 in the amount of \$45,228.19 to United Materials of Great Falls, Inc. and \$456.85 to the State of Montana Miscellaneous Tax Division and authorize the City Manager to execute the necessary documents and make the payments. **OF 1622.2**
12. Set a public hearing on Resolution 10206, Resolution approving the Application for the New and Expanding Industry Tax Benefit for Montana Egg LLC. For the expansion of Egg Processing Facility for October 3, 2017.

13. Set a public hearing on Resolution 10207, fixing the rates of Safety Inspection Certificate Fees in Title 5 of the Official Code of the City of Great Falls (OCCGF) for October 17, 2017.

Commissioner Burow moved, seconded by Commissioner Houck, that the City Commission approve the Consent Agenda as presented.

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

Motion carried 5-0.

PUBLIC HEARINGS

14. **RESOLUTION 10205, ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY'S PARKING SYSTEM.**

Planning and Community Development Director Craig Raymond reported the agenda item is to conduct a public hearing regarding Resolution 10205 which provides for amending the fee schedule associated with the downtown parking program.

In December 2014, the City's Parking Advisory Commission brought forward several recommendations for funding strategies for the parking system. At the time, the City Commission elected to only implement some of the scheduled rate increases, preferring to re-evaluate after a period of time the effect of the increases, and whether additional increases would even be necessary. Although the Parking Advisory Commission has brought forth several recommendations for system improvements and policy changes, it has not completed a comprehensive budget assessment.

Based on the most recent budget performance reports, there is not sufficient revenue to cover deferred maintenance and fund needed facility improvements. Particularly in light of the exit of a large anchor tenant from the downtown. Based on research of other large Montana cities, Great Falls rate structure is significantly cheaper than any other city.

Planning and Community Development Director Raymond reported that Resolution 10205 addresses the original recommendation brought to the Commission in 2014 in order to marginally provide for some of the necessary funds while the Parking Advisory Commission and staff complete the budgetary review. It should be anticipated that additional revenue generating will be required.

Resolution 10205 also provides flexibility for the City Manager to execute agreements which may be negotiated that will incentivize either bulk or group discounts for customers who pre-pay for their parking leases for a year or more. The desired effect is that the parking program may be able to increase usage with incentive programs.

One additional element included in Resolution 10205 is recognition of the Pedlet program. Planning and Community Development Director Raymond further explained that a Pedlet is where a business owner temporarily consumes parking spots to construct an outdoor dining or

café space or pedestrian pathway around an outdoor café space. Staff is requesting the City Commission to approve a fee structure for the temporary lease of parking spaces when a Pedlet is constructed within the downtown parking district.

Mayor Kelly declared the public hearing open.

No one spoke in support of Resolution 10205.

Speaking in opposition to Resolution 10205 were:

John Hubbard, 615 7th Avenue South, expressed opposition with regard to the proposed \$5.00 per month parking garage increase.

Jeff Patterson, 2213 Grape Court, commented that he is a business owner downtown and his business pays for employee parking lot spaces as a benefit. For business owners downtown that don't pay for employee parking, their employees have to pay with after tax dollars. He suggested the Commission consider ways to raise revenue and do it in a pre-tax way if at all possible.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10205 establishing the rates, fees, and penalties associated with Title 10 of the Official Code of the City of Great Falls pertaining to the City's parking system.

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

Commissioner Jones commented that he is disappointed that there was not more public input, and further mentioned that there needs to be more discussion, as well as Community Development would need to look at ways to save money.

Commissioner Burow concurred with Commissioner Jones. Commissioner Burow commented that the Parking program is not a revenue generator for the City. He further noted that the situation is a tough balancing act, and wanted more community involvement.

Commissioner Bronson reported that he received more information and data about the proposal since the last meeting. Commissioner Bronson commented that he has reservations with regard to supporting Resolution 10205. Commissioner Bronson further expressed support with waiting to have the study completed by SP Plus, as well as seeing what direction the Parking Commission will take.

Commissioner Houck commented that some citizens are excited about something being done with the deferred maintenance.

Mayor Kelly expressed appreciation to Planning and Community Development for its efforts with regard to revenue increases.

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

Motion carried 4-1. Commissioner Bronson dissenting.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

15. **ORDINANCE 3169, REPEALING AND REPLACING TITLE 2 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO ADMINISTRATION AND PERSONNEL PROVISIONS.**

City Attorney Sara Sexe reported Ordinance 3169 would repeal and replace the Official Code of the City of Great Falls (OCCGF) Title 2, pertaining to Administration and Personnel. City Attorney Sexe explained that the vast majority of the amendments are non-substantive. She reported that repealing the Youth Council, requiring all members of City boards, commissions, committees and councils to be City residents, as well as renaming the Fiscal Services Department were three substantive proposed changes. Ordinance 3169 proposes several changes to the Code of Ethics, and would establish an Ethics Committee.

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission accept Ordinance 3169 on first reading and set public hearing for October 3, 2017.

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public.

Owen Robinson, 1029 17th Avenue SW, received clarification that the residency requirements for County appointees on the Airport Authority Board are not the same as City appointees.

John Hubbard, 615 7th Avenue South, received clarification that there are separate Ordinances that deal with qualifications of the Municipal Court Judge.

Commissioner Bronson received clarification that Ordinance 3169 would require that any future Commission appointees to the Airport Authority Board would have to be a City resident.

Commissioner Bronson commented that the Ethics Committee should have to provide something in writing as to their decisions. City Attorney Sexe responded that the decisions made would be subject to the rules for open meetings.

Commissioner Burow expressed support with regard to requiring City appointees of the Airport Authority Board to be City residents.

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

Motion carried 5-0.

16. **RESOLUTION 10167, ESTABLISHING TRAINING REQUIREMENTS FOR ALL MEMBERS OF CITY BOARDS, COMMITTEES, COMMISSIONS, AND COUNCILS.**

City Attorney Sara Sexe reported that at the September 5, 2017 City Commission Work Session, staff presented proposed revisions to the Official Code of the City of Great Falls (OCCGF) Title 2, pertaining to personnel and administration.

At that meeting Commissioner Burow suggested that the City establish a requirement for training. Staff agrees that training done by staff or outside entities would be appropriate.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10167.

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

Motion carried 5-0.

17. **RESOLUTION 10189, TO LEVY AND ASSESS PROPERTIES WITHIN THE BUSINESS IMPROVEMENT DISTRICT (BID).**

Fiscal Services Director Melissa Kinzler reported that the Business Improvement District (BID) was originally created in 1989, renewed in 1999 and re-created for a third term in 2009, each for periods of ten years by petition of the property owners within the District. The BID's overall purpose is to improve and revitalize the downtown area by utilizing and directing the assessment dollars collected through the BID tax assessment.

On July 18, 2017 the BID presented a proposed work plan and budget to the City Commission which was adopted by the City Commission.

The actual assessment for 2017/2018 based on the assessment formula will generate approximately \$246,000 in assessment revenue.

Staff recommends the City Commission adopt Resolution 10189 to levy and assess properties within the Business Improvement District (BID).

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10189.

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public.

John Hubbard, 615 7th Avenue South, received clarification that the increase was requested by property owners in the district, and that the increase is paid for by the property owner's taxes.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

18. **RESOLUTION 10190, TO LEVY AND ASSESS PROPERTIES WITHING THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID).**

Fiscal Services Director Melissa Kinzler reported that the Tourism Business Improvement District (TBID) was established in 2008 for a period of 10 years. Its overall purpose is to utilize assessments through the TBID tax assessment and direct those monies for the purpose of promoting tourism, conventions, trade shows and travel to the City of Great Falls.

The TBID presented a proposed work plan and budget to the City Commission. The City Commission adopted the Fiscal Year 2017/2018 Work Plan and Budget for the TBID.

The assessment amount requested by the TBID through their work plan and budget was \$400,000. The actual assessment for Fiscal Year 2017/2018 will generate \$389,882 in assessment revenue. The reduction of \$10,118 in this year's assessment revenue is attributed to decreased lodging during the assessment time frame.

Staff recommends the City Commission adopt Resolution 10190 to levy and assess properties within the Tourism Business Improvement District (TBID).

Commissioner Houck moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10190.

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

Motion carried 5-0.

CITY COMMISSION

19. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Bronson reported that he attended the Interim Legislative Committee with regard to dealing with revenue and transportation affairs. Commissioner Bronson further explained that the Committee will be reviewing and considering the issue of Tax Increment Financing (TIF).

Mayor Kelly reported that he had a meeting with the Governor, his Chief of Staff, the Lieutenant Governor, as well as other Mayors. Mayor Kelly further reported that the Governor discussed that there would be a further reduction of \$220,000,000 in the State's budget. The local Legislators will be in Helena on October 4th to give feedback to the Legislative Committees to work for the betterment of the state.

20. COMMISSION INITIATIVES.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Mayor Kelly adjourned the regular meeting of September 19, 2017, at 8:15 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: October 3, 2017