

JOURNAL OF COMMISSION PROCEEDINGS

November 21, 2017

Regular City Commission Meeting
Commission Chambers Room 206

CALL TO ORDER 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Bill Bronson, Tracy Houck and Fred Burow. Commissioner Bob Jones was excused. 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; City Attorney Sara Sexe; and, Police Captain Rob Moccasin.

AGENDA APPROVAL

City Manager Greg Doyon noted that contracts list items 7A and 7I were removed after original posting. He would explain further during the City Manager's report. There were no suggested changes by the City Commission. The agenda was approved as submitted.

PROCLAMATIONS

Small Business Saturday

*** Action Minutes of the Great Falls City Commission. Please refer to the [audio/video recording](#) of the meeting for additional details ***

PETITIONS AND COMMUNICATIONS

1. Miscellaneous reports and announcements.

Paul Fisher, 1100 4th Avenue North, thanked the Commission for addressing the concerns of the citizens, and the City Attorney for clarifying the law on concealed carry. He feels any concerns regarding concealed carry in parks has been put to rest. He urged his fellow citizens to consider this matter closed.

Brett Doney, Great Falls Development Authority, 300 Central Avenue, shared information from the US Bureau of Economic Analysis that the per capita personal income climbed 2.9% in 2016, putting Great Falls in the top 20% of all US Metro areas. Great Falls ranked 75th out of 382 metro areas for rate of growth, topping Missoula and Billings. He further noted that Great Falls was ranked the 14th best city of under 150,000 population in the country for college graduates graduating this spring. He concluded with statistics regarding local job market and economic opportunity.

B.J. Angermeier, 2322 3rd Avenue South, spoke in opposition to guns being allowed in City parks and trails. As a community of people that recreates with their families and pets, citizens should be able to take their children into gun free zones. Ms. Angermeier commented further

that Montana does not maintain a database of people diagnosed with mental illness. Under HIPPA it is rare to have grounds to challenge an application based on mental stability. She discussed the number of people with concealed weapon permits in Montana, as well as how many applications are processed monthly in Cascade County. Permits are valid for four years.

Mayor Kelly noted that public hearings pertaining to this ordinance would be held in the new year.

City Attorney Sara Sexe explained that her interpretation of the ordinance as written and the exceptions that are stated in statute which are referenced in the ordinance, indicate that the way the ordinance should be read is that guns are prohibited in public buildings and public assemblies. But, with regard to current concealed carry permit holders, it is allowable in City parks and the River's Edge Trail within the City.

Sharon Patton Griffin, 256 Dune Drive, echoed the previous speakers concerns pertaining to allowing concealed guns in City parks. She suggested that past practice of not allowing concealed weapons in City parks and trails carry some weight while considering this issue. Ms. Griffin also provided a handout from her husband, Jeff Griffin, setting forth his comments on this issue.

NEIGHBORHOOD COUNCILS

2. Miscellaneous reports and announcements from Neighborhood Councils.

There were no miscellaneous reports and announcements from representatives of Neighborhood Councils.

BOARDS AND COMMISSIONS

3. Miscellaneous reports and announcements from Boards and Commissions.

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

CITY MANAGER

4. Miscellaneous reports and announcements from the City Manager.

City Manager Greg Doyon reported that a special Commission meeting will be scheduled for November 30th to consider the electricity RFP responses. Four suppliers have indicated their interest in submitting a proposal. At its meeting on November 30th, the Commission will know what the prices are, but once a decision is made only the name of the supplier and the length of the contract will be disclosed. There is a two week period before the rate can be disclosed due to the unique competitive nature of the electric market. The gas proposal is on the agenda this evening and the potential for savings is significant and great for the community.

Manager Doyon reported that his office received a letter on November 20th from the Denver HUD office dated November 14th. Therein HUD articulated its previous concerns that were shared with the Commission, but also added some additional potential conflicts in 2017 and 2012. The potential conflicts will be explored and a report made back to HUD. The City is attempting to secure an addendum to its auditing agreement to do a special audit with NeighborWorks to address the particular issues.

Last Thursday EOC training was conducted simulating an emergency, how personnel would respond, and how to prepare a media release. Manager Doyon reported that undersheriff John Stevens has been named the new County Emergency Manager.

The City reached a tentative agreement with MPEA that will come before the Commission for ratification.

City offices will be closed Thursday and Friday for the Thanksgiving holiday, but Municipal Court will be open on Friday.

Manager Doyon congratulated Col. Ron Allen who has been nominated to the rank of Brigadier General in the Air Force.

Manager Doyon reported that there are only 28 trees remaining of the 1,667 boulevard trees on the 2010 hazard list, limiting the City's liability exposure.

In conclusion, Manager Doyon noted that the Christmas tree lighting is scheduled for Friday along with the Parade of Lights.

CONSENT AGENDA

5. Minutes, November 7, 2017, City Commission Meeting.
6. Total Expenditures of \$4,225,030 for the period of October 14, 2017 through November 8, 2017, to include claims over \$5,000, in the amount of \$3,923,888.
7. Contracts List.
8. Grants List.
9. Approve final payment for the Beech Drive and Cherry Drive Water Main Replacement, in the amount of \$20,223.67 to Williams Civil Division, Inc. and \$204.28 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1718**

10. Approve final payment for the 13th Street South Reconstruction, in the amount of \$20,057.98 to United Materials of Great Falls, Inc. and \$202.61 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1641.1**
11. Approve a natural gas supply contract with EnergyWest.

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

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

Commissioner Bronson was pleased to note the \$200,000 savings of Item 11, the natural gas supply contract, that will be passed along to residents. Also, the final payments set forth in Items 9 and 10 came in substantially under bid.

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

Brett Doney, Great Falls Development Authority, 300 Central Avenue, referred to Item 7C and thanked the City for its support of economic development.

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

Motion Adopted 4-0

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

12. **Annexation Agreement Amendment pertaining to Lot 20A of the Amended Plat of the Amended Plat of Lot 20-20A, Block 17, Valley View Homes, Section Six, Great Falls, Cascade County, Montana.**

City Attorney Sara Sexe reported that David H. Beagles and Jeanette M. Beagles own Lot 20A of the Amended Plat of the Amended Plat of Lot 20-20A, Block 17, Valley View Homes, Section Six, Great Falls, Cascade County, Montana. The Beagles entered into an Annexation Agreement with the City of Great Falls, which included a provision that funds would be held in escrow at D.A. Davidson for reimbursement for future roadway improvements adjacent to their property which are in the Falcon Ridge No. 4 Addition to the City of Great Falls.

Under an April 15, 1997 Improvements Agreement, the escrowed funds were set aside so that when the Falcon Ridge roadway improvements were made by the subdivision developer, the owners of that development would be reimbursed with the escrowed funds. It was anticipated that the remainder of Falcon Ridge improvements would have occurred relatively shortly after the agreement, however those improvements still are not complete over twenty years later.

The Beagles requested that the City evaluate the continued holding of the funds in escrow. In response, the City reviewed the agreements and facts applicable to the project. After review, it was determined reasonable to release the obligation to hold escrowed funds as security for the reimbursement obligations.

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission approve the Annexation Agreement Amendment pertaining to Lot 20A of the Amended Plat of the Amended Plat of Lot 20-20A, Block 17, Valley View Homes, Section Six, Great Falls, Cascade County, Montana, and authorize the City Manager to execute the Agreement and all related documents.

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

Commissioner Burow inquired if the money accrued interest while in escrow.

City Attorney Sexe responded that the monies were not held in an interest bearing account.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0

ORDINANCES/RESOLUTIONS

13. **Ordinance 3179, Establishing and Reserving Titles 7, 11 and 14 Of The Official Code Of The City Of Great Falls (OCCGF).**

City Attorney Sara Sexe reported that the ordinance under consideration is to establish and reserve Titles 7, 11 and 14 of the OCCGF making the OCCGF numerically correct for referencing purposes. Staff recommends that the Commission accept Ordinance 3179 on first reading and set second reading for December 5, 2017.

Commissioner Houck moved, seconded by Commissioner Burow, that the City Commission accept Ordinance 3179 on first reading and set second reading for December 5, 2017.

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

Motion Carried 4-0

14. **Resolution 10216, to Establish Golf Fees for Eagle Falls Golf Club and Anaconda Hills Golf Course.**

Park and Recreation Interim Director Patty Rearden reported that this item is a request to set a

public hearing on Resolution 10216, Golf Fees, for December 5, 2017. Resolution 10216 would repeal Resolution 10121 and set fees for the 2018 and 2019 golf season.

In an effort to maintain current operations, anticipate future demands, and promote the golfing community, fees need to be established that will help offset expenditures relating to operating costs, equipment replacement, capital improvements, and debt associated with the golf courses. Fees have not been increased since January 2016.

Interim Director Rearden reviewed the proposed fee changes as set forth in the resolution and agenda report. She concluded that the increase in fees is projected to bring in an additional \$90,300 in revenue in 2018, and \$49,800 for 2019. Additionally, closing Anaconda Hills on September 30th in 2018 will be a cost savings of approximately \$10,000. City staff and the Golf Advisory Board are also working on revising the golf tournament rules in an effort to increase the number of tournaments at both courses.

Commissioner Houck moved, seconded by Commissioner Burow, that the City Commission set a public hearing on Resolution 10216, Golf Fees, for December 5, 2017.

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

Commissioner Houck commented that she would also like to see reported cuts being made at the courses. She inquired about the difference in fees in 2018 and 2019, no proposed increase in trail or cart storage fees, and whether there would be an increase in promoting/marketing costs.

Interim Director Rearden responded that the biggest cut in expenses discussed was to close Anaconda Hills in September for a \$10,000 savings. There were significant capital expenditures last year that are not anticipated next year. Golf staff have been cutting expenses wherever they can. She further clarified that the reason green fees are not proposed for an increase in 2018, along with the cybercard, is an attempt to get players back that were lost to other courses. The trail or cart storage fees are primarily paid by season pass holders and those holders will already be paying an increase for a season pass. Staff will be working on marketing over the winter months.

Commissioner Houck inquired about a survey, and the recommendations of the Park and Recreation Master Plan.

Interim Director Rearden responded that the survey results were just tabulated. The discussions during the Master Plan process pertained to whether to keep Anaconda Hills as a golf course or to repurpose it.

Mayor Kelly requested clarification regarding the anticipated increase in revenue in 2018 versus 2019.

Interim Director Rearden responded that the approximately \$50,000 in 2019 is in addition to the projected revenue of approximately \$90,000 in 2018.

Commissioner Burow inquired how City golf fees compared to other golf courses.

Interim Director Rearden responded that she has course comparisons she would share with the Commission. With the implementation of the cybercard, the fees will be more in line with a

private course in town.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0

CITY COMMISSION

15. **Miscellaneous reports and announcements from the City Commission.**

Commissioner Bronson congratulated Malmstrom Air Force Base for its award of the Blanchard Trophy for the eleventh time.

Mayor Kelly wished City staff and the community the best of holidays.

16. **Commission Initiatives.**

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Burow moved, seconded by Commissioner Houck, to adjourn the regular meeting of November 21, 2017, at 7:55 p.m.**

Motion Adopted 4-0

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: