

JOURNAL OF COMMISSION PROCEEDINGS

March 6, 2018

**Regular City Commission Meeting
Commission Chambers Room 206**

CALL TO ORDER 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

City Commission members present: Bob Kelly, Bill Bronson, Tracy Houck, and Mary Sheehy Moe. Commissioner Owen Robinson was excused. Also present were Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Engineer Dave Dobbs; Library Director Kathy Mora; Park and Recreation Director Steve Herrig; Assistant City Attorney Joe Cik; and, Police Chief Dave Bowen.

AGENDA APPROVAL

No changes were proposed by the Deputy City Manager or City Commission. The agenda was approved as submitted.

CONFLICT DISCLOSURE/ EX PARTE COMMUNICATIONS

None

PROCLAMATIONS

Charles M. Russell Month, Montana Retired Educator Day, Respect Day and 2017 Outstanding Airmen of the Year Award.

PETITIONS AND COMMUNICATIONS

1. **Miscellaneous reports and announcements.**

None

NEIGHBORHOOD COUNCILS

2. **Miscellaneous reports and announcements from Neighborhood Councils.**

Mayor Kelly notes that the Park and Recreation Department will be attending Neighborhood Council meetings to educate them on the Park Maintenance District.

BOARDS AND COMMISSIONS

3. **Appointment, Golf Advisory Board.**

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission appoint James (Jamie) Kapp as a non-league representative on the Golf Advisory Board for the remainder of a three-year term through March 31, 2019.

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 4-0

4. **Appointment, Great Falls Planning Advisory Board.**

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission appoint Tory Mills for the remainder of a three-year term ending on December 31, 2020, to the Great Falls Planning Advisory Board.

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

Commissioner Bronson commented that Mr. Mills was recommended by the Planning Advisory Board, and that he would be replacing Nathan Weisenburger. He further expressed appreciation to Mr. Weisenburger for his service to the City.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0

5. **Removal of a Member, Public Library Board.**

Assistant City Attorney Joe Cik reported that the Official Code of the City of Great Falls (OCCGF) states that a board member could be removed from office if they miss more than one-third of the regular meetings in a calendar year without a explanation. There had been no response from Jane West to the correspondence informing her that she had an opportunity to provide a written explanation for her absences, and the recommendation that she be removed from her position as a member of the Library Board.

Commissioner Houck moved, seconded by Commissioner Bronson, that the City Commission remove Jane West as a member of the Great Falls Public Library Board.

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

Mayor Kelly thanked Jane West for her service as a valuable board member.

Commissioner Moe commented that she wished there was a more gentle way to remove Jane West.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0

6. **Miscellaneous reports and announcements from Boards and Commissions.**

None

CITY MANAGER

7. **Miscellaneous reports and announcements from the City Manager.**

Deputy City Manager Chuck Anderson explained that City Manager Greg Doyon was attending a conference and would return to the office on March 8th.

Deputy Manager Anderson reported that on February 20th the Cascade County Tax Appeal Board issued a decision on the Calumet Montana Refining tax protest on Calumet's 2017 taxable value from Montana Department of Revenue. The board set the value at \$312.5 million. The original value set by the Montana Department of Revenue was \$538 million. Both the Montana Department of Revenue and Calumet have 30 days from February 20th to appeal the decision to the State of Montana Tax Appeal Board. After the appeal period the City will review the impact on the 2019 budget, which will definitely impact revenues.

The City has been engaged in a statewide Vigilant Guard exercise since last Friday. This exercise is held in four states each year, and this one has been in the planning stages for the last two years. Other participating entities include the Montana National Guard, Malmstrom Air Force Base, National Weather Service, State Disaster & Emergency Services, Cascade County and community partner entities such as American Red Cross, Calumet, NorthWestern Energy and Benefis. Fire Chief Steve Hester has been leading the Emergency Operations Center (EOC) as the Director, and almost every department or division has been involved. This exercise creates opportunities to practice, activate emergency operations plans, and to validate processes. The exercise will conclude on March 7th.

The first meeting of the City's Ethics Committee will be on March 7th at 3:00 p.m. in the Rainbow Room to elect chair and vice chair positions, as well as to discuss rules and procedures.

The *Tribune's* 2018 Greatest of Great Falls awards were presented at an awards ceremony on March 1st to the Electric City Water Park, which was voted as the greatest place for kids and fun; the Gibson Park Underpass was awarded for the greatest outdoor mural; and the River's Edge Trail was awarded for the greatest place to walk, bike, and walk dogs.

Mayor Kelly commented that the Vigilant Guard exercise was a full, comprehensive event. He expressed appreciation to Calumet for the use of its facility at Westgate Mall, and commented that the EOC is a great facility.

CONSENT AGENDA

8. Minutes, February 20, 2018, Commission Meeting.
9. Contracts List.
10. Total Expenditures of \$1,720,743 for the period of January 31, 2018 through February 21, 2018, to include claims over \$5,000, in the amount of \$1,528,575.
11. Award a contract in the amount of \$73,400.00 to Sletten Construction Company for the Gore Hill Pump Station Pump Replacement, and authorize the City Manager to execute the construction contract documents. **OF 1625.6**
12. Reject a contract for the Police Department Water Main Replacement/Re-route. **OF 1684**

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the Consent Agenda as submitted.

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 4-0

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

13. **Ordinance 3186, Amending Title 3, Chapter 6, of The Official Code of the City of Great Falls (OCCGF) Pertaining to Sale of Unclaimed Personal Property.**

Assistant City Attorney Joe Cik reported that during the 2017 legislative session, the Montana League of Cities and Towns worked on legislation to establish criteria as to how law enforcement agencies could dispose of unclaimed personal property. Ordinance 3186 provides a mechanism by which property owners would be informed of the disposal and allowing for a process to reclaim property.

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission accept Ordinance 3186 on first reading and set the second reading for March 20, 2018,

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

Mayor Kelly received clarification that there would be publication of the planned disposal, and that an online auction website called *propertyroom.com* would be utilized for unclaimed property valued at \$20 or more. He further received clarification that unclaimed property under \$20 would be disposed of unless there were other legal regulations that require disposal.

Further, the Police Department could develop a policy that would allow a listing of unclaimed property to be circulated to non profit organizations first.

Police Chief Dave Bowen explained that the Police Department has an outstanding partnership with the Drug Treatment Court, and that they have first choice to take any unclaimed bicycles. Chief Bowen further explained that there is so much unclaimed personal property, that additional buildings would need to be built to house the property.

Commissioner Moe received clarification that the City is not currently selling unclaimed personal property without the guidance of an Ordinance, and that the legislation was petitioned to give the City the ability to adopt an Ordinance that would establish its own procedures.

Commissioner Houck received clarification that the statute allows the City to enact Ordinance 3186 based on the criteria listed in the agenda report. Commissioner Houck encouraged citizens to fill out a police report on the City website for their stolen items.

Referring to policy, Commissioner Moe inquired about who would determine the value of the unclaimed personal property, as well as if the Police Department could take unclaimed personal property home.

Assistant Attorney Cik responded that there would be a written policy by the Police Department, and that each unclaimed personal property would be on a case by case basis.

Responding to Commissioner Moe, Chief Bowen explained that there are two Evidence Custodians who are overseen by a supervisor, and that unclaimed personal property would either be destroyed, and/or disposed of in a secured dumpster.

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

14. Miscellaneous reports and announcements from the City Commission.

Commissioner Bronson reported that he and Chief Bowen had attended the luncheon that honored the recipients of the Five under 35 awards, and that the presentation of the recipients is

available on the KRTV website.

Commissioner Houck reported that she attended a leadership event organized by Senator Jon Tester. Fourteen young professionals from the community ranked schools, employment, volunteer opportunities, and trails and the parks systems as the top reasons to live in Great Falls.

15. **Commission Initiatives.**

None

ADJOURNMENT

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Houck, to adjourn the regular meeting of March 6, 2018, at 7:53 p.m.**

Motion carried 4-0

Mayor Bob Kelly

City Clerk Lisa Kunz

**Minutes Approved:
March 20, 2018**