

JOURNAL OF COMMISSION PROCEEDINGS

June 19, 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, Mary Sheehy Moe, Bill Bronson, Owen Robinson, and Tracy Houck. Also present were Acting City Manager Jim Rearden; Deputy City Clerk Darcy Dea; Planning and Community Development Director Craig Raymond; Fire Chief Steve Hester; Park and Recreation Deputy Director Patty Rearden; Assistant City Attorney Joe Cik; and Police Chief Dave Bowen.

Acting City Manager Jim Rearden announced that City Manager Greg Doyon was in Washington DC for the Association of Defense Communities (ADC) Conference and Deputy City Manager Chuck Anderson was on vacation.

AGENDA APPROVAL

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

CONFLICT DISCLOSURE/ EX PARTE COMMUNICATIONS

Commissioner Houck reminded citizens who wish to communicate their concerns with the Commission to utilize the City's website, and not email Commission members individually. She explained that the entire Commission would be aware of the concerns by using the website.

PROCLAMATIONS

River's Edge Trail Month

PETITIONS AND COMMUNICATIONS

1. Miscellaneous reports and announcements.

John Hubbard, 615 7th Avenue South, expressed concern regarding increasing taxes due to Park District Number 1.

NEIGHBORHOOD COUNCILS

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

Commissioner Houck announced that some of the Neighborhood Councils don't meet during the summer months of June and July.

BOARDS AND COMMISSIONS

3. **Appointment, Police Commission.**

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission appoint Robert Wigdorski to the Police Commission for a three-year term through June 30, 2021.

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

Commissioner Moe disclosed that she and two other Commission members are members of Rotary Club.

Commissioner Houck thanked Ted Barnes for his service on the Police Commission.

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

Motion carried 5-0

4. **Reappointment, Tourism Business Improvement District.**

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission reappoint Scott Shull to the Tourism Business Improvement District Board of Trustees to a four-year term through June 30, 2022.

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

Commissioner Moe commented that the start date of Mr. Shull's term in his application was incorrect, and that the May 3, 2011, date in the Agenda Report was correct.

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

Motion carried 5-0

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

None.

CITY MANAGER

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

Acting City Manager Jim Rearden reported that:

- Crafts Council union negotiations begin on June 22, 2018.
- The deadline for accepting City 101 applications is July 13. There are currently eight applications and up to 25 will be accepted.
- A Proposed Budget Work Session is scheduled for June 27 in the Gibson Room.
- The Great Falls Association of Realtors hosted the Flag Day presentation on June 14th at Overlook Park. Park and Recreation was presented with a Rachel Kaiser print at the ceremony recognizing the City for providing the land in Overlook Park for the Flag.

Fire Chief Steve Hester reported that the Sun River was expected to flood due to the rain over the last few days. He reviewed and discussed a PowerPoint slide that depicted a flood inundation map for the Sun River.

Acting Manager Rearden reviewed and discussed PowerPoint slides that included updates from the following Public Works Departments: Utilities, Water Plant, Engineering, Street, Sanitation, and Environmental.

CONSENT AGENDA

7. Minutes, June 5, 2018, Commission Meeting.
8. Total Expenditures of \$2,744,334 for the period of May 16, 2018 through June 6, 2018, to include claims over \$5,000, in the amount of \$2,476,197.
9. Contracts List.
10. Set public hearing for Resolution 10242, Revising Fee Schedule for public safety information requests to the Legal Department replacing Resolution 10065.
11. Approve the bid award for 250 tons of liquid asphalt to Calumet Montana Refining Company of Great Falls for \$91,250.

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

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

John Hubbard, 615 7th Avenue South, received clarification that Resolution 10242 would increase the fee schedule for requests to the Legal Department, and that the public hearing would

be July 3, 2018.

There being no one further to address the Commission, Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0

PUBLIC HEARINGS

12. **Ordinance 3181, Repealing and replacing Title 8, of the Official Code of the City of Great Falls (OCCGF), Pertaining to Health and Safety.**

Assistant City Attorney Joe Cik reported the substantive changes to Title 8 of the Official Code of the City of Great Falls (OCCGF) include the following:

- Changing food establishment designations to be consistent with the Administrative Rules of Montana (ARM).
- Amending garbage and refuse provisions to be consistent with current practice.
- Incorporating ARM regulations into OCCGF regulation of swimming pools.
- Tattooing and Body-Piercing Establishments, as well as Tourist Campgrounds and Trailer Parks shall be required to comply with applicable Montana Code Annotated (MCA) and ARM requirements.
- Child Care Facilities, including drop-in facilities shall be required to comply with City-County Health Department (CCHD) designed health and safety regulations.
- The City Manager, in consultation with the Fire Chief, may restrict all outdoor residential open or closed fire burning.
- Language clarification in nuisance chapters including designating Criminal Public Nuisances.
- Clarifying penalty provisions throughout Title 8 providing both criminal and administrative remedies for violations.
- Create consistency within the rest of the Code, and where applicable, the MCA, and the ARM.
- Create clarification in process and application.

Assistant City Attorney Cik further reported that amendments proposed by Commissioner Moe have been incorporated into the revised draft. He further reported that Commissioner Bronson had inquired about how the new code enforcement process worked. Assistant City Attorney Cik explained that the City would work with citizens in order to get their properties into compliance rather than immediately issuing citations.

Mayor Kelly declared the public hearing open.

Speaking in opposition to Ordinance 3181 was:

John Hubbard, 615 7th Avenue South, received clarification that the City Manager, in consultation with the Fire Chief, could prohibit outdoor residential burning under certain conditions.

No one spoke in support of Ordinance 3181.

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

Commissioner Moe moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3181.

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

Commissioner Houck commented that Ordinance 3181 would not ban fires; however, it provides the opportunity to do so in the event of a critical condition.

Commissioner Bronson commented that he is satisfied with the current provisions. However, if citizens take unnecessary advantage of the provisions of the OCCGF, another system may need to be developed.

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

Motion carried 5-0

OLD BUSINESS

13. City Manager Contract Amendment.

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission approve a contract amendment with the City Manager effective July 1, 2018 granting the City Manager a base wage increase of 3% effective March 24, 2018.

Mayor Kelly reported that the Commission met on May 1, 2018 to review the City Manager's performance. After the review, the Commission voted to amend Manager Doyon's base wage by 3%. The term of the contract is March 24, 2017 through March 24, 2020. The Manager's current base salary is \$140,775.12. The three percent increase results in a base salary of \$144,998.37. Manager Doyon is eligible for a Cost of Living Adjustment (COLA) increase as is offered to all other nonunion employees. Manager Doyon's review was not performed until after his anniversary date due to busy schedules. The motion is to increase Manager Doyon's wage 3% going back to March 24, 2018.

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

John Hubbard, 615 7th Avenue South, expressed opposition to the City Manager's wage increase.

There being no one further to address the Commission, Mayor Kelly asked if there was any discussion amongst the Commissioners.

The Commission expressed appreciation for the City Manager's performance, and for all that he has done for the City.

Commissioner Bronson explained that it was not his intent during the Manager's review to agree to a base wage increase retroactive to March 24.

Commissioner Moe received clarification that the 3% was the merit increase, and that Manager Doyon would be eligible for a COLA increase as well.

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

Motion carried 4-1 (Commissioner Moe Dissenting)

NEW BUSINESS

14. **Lot aggregation for Great Falls High School Building Addition Project.**

Planning and Community Development Director Craig Raymond reported that this item is a request by Great Falls Public Schools to approve an amended plat surrounding the Great Falls High School Complex. The Great Falls Public Schools had passed a \$98 million construction bond for numerous facility improvements throughout the school district. The Great Falls High School project is for an approximately 62,000 square foot addition connecting the south campus building to the historic school building. The lot aggregation also includes multiple previously vacated alley and street rights-of-way. The amended plat has been reviewed by staff and complies with the requirements of the subdivision chapter of the Land Development Code.

Commissioner Robinson moved, seconded by Commissioner Moe, that the City Commission adopt the amended plat for the 91 lot aggregation for the Great Falls High School Building Addition Project, subject to the Applicant fulfilling the listed Conditions of Approval.

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

Janna Cooper, TD&H Engineering, 1800 River Drive North, commented that the amended plat would clean things up at Great Falls High School.

Commissioner Robinson received clarification that improvements would be on the southern half of the practice field.

Tammy Lacey, Superintendent, Great Falls School District, 1100 4th Street South, expressed appreciation to the Commission, Planning and Community Development, Public Works, Legal, and Fire Departments for the time spent reviewing the project.

There being no one further to address the Commission, Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0

ORDINANCES/RESOLUTIONS

CITY COMMISSION

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

Fire Chief Steve Hester reported that the Sun River Drainage is at a critical stage and there are

several road closures.

Mayor Kelly announced that the Thurber Family had donated \$125,000 to provide fitness equipment to the new fitness center, and to enhance the signage on the outside of CM Russell High School.

Commissioner Robinson commented that he had served on the School Board with the late Bert Thurber, and that he was a great man.

Commissioner Bronson announced that he and Manager Greg Doyon attended a Tax Increment Financing (TIF) meeting, and that draft legislation would be submitted to the Revenue and Transportation Interim Committee regarding TIF funding and programs on July 11, 2018.

Commissioner Houck announced that there are applications available at Great Falls Lumber for anyone interested in participating in the Fourth of July Parade.

Isaiah Bates, Ursuline Center, 2300 Central Avenue, announced that he is reporting on the flooding issues for his summer internship, and inquired if Great Falls has flooding issues.

Chief Hester responded that Great Falls does not have a flooding issue this year. However, there has been issues in the past. He explained that levies were built to help abate flooding issues.

16. **Commission Initiatives.**

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Houck, to adjourn the regular meeting of June 19, 2018, at 7:57 p.m.**

Motion carried 5-0

Mayor Bob Kelly

City Clerk Lisa Kunz

**Minutes Approved:
July 3, 2018**