

# JOURNAL OF COMMISSION PROCEEDINGS

August 21, 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, Mary Sheehy Moe, Owen Robinson, and Tracy Houck. 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 and Senior Transportation Planner Andrew Finch; Human Resources Director Gaye McInerney; Assistant Fire Chief Jeremy Jones; Finance Director Melissa Kinzler; Assistant City Attorney Joe Cik; and, Police Chief Dave Bowen.

## AGENDA APPROVAL

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

## CONFLICT DISCLOSURE/ EX PARTE COMMUNICATIONS

Commissioner Bronson reported that he provided City Clerk Lisa Kunz with an email exchange with a local organization wherein he declined their invitation to attend their board meeting to discuss the proposed Wheat Ridge project. He explained that Commission members should not be engaging in any discussion outside of the public hearing format.

## PETITIONS AND COMMUNICATIONS

### 1. Miscellaneous reports and announcements.

**Becky Monroe**, 1801 2nd Avenue North, urged the Commission to keep the Natatorium open, or have a Plan B, to provide exercise for health reasons and swimming lessons for children. She has been involved in fund raising efforts for the pool.

**Hildreth Grimes**, 926 Avenue B NW, commented that she is almost 101 years of age. She has enjoyed utilizing the pool twice per week and believes that water exercise is the reason she can still walk at her age. She is happy to pay taxes to have the pool fixed for winter swimming for children and for others to be able to use the pool as she has.

**Melissa Barer**, 600 7th Avenue North, Apt. 5, commented that she is part of the activities team at Beehive Assisted Living that brings residents to the Natatorium twice per week to swim. The traumatic brain injury residents that are not able to walk, are able to walk in the pool.

**Marilyn Grimes**, 3020 6th Avenue North, commented that she is a librarian for East and North Middle Schools. She expressed concern about the lack of activities for children during the winter

months.

## **NEIGHBORHOOD COUNCILS**

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

None.

## **BOARDS AND COMMISSIONS**

3. **Appointment, Tourism Business Improvement District.**

**Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission appoint Sandra Johnson-Thares to the Tourism Business Improvement District Board of Trustees for the remainder of a four-year term through June 30, 2019.**

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0

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

None.

## **CITY MANAGER**

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

City Manager Greg Doyon announced that:

- The second session of City 101 will be held August 30th.
- Deputy City Manager Chuck Anderson was a key note speaker for the new Leadership Great Falls class.
- The audit committee recently met to kick off the audit process wherein independent auditors review and make a report on the City's financial statements.
- He attended a recent MMIA Board retreat. The Board declined making any changes to the health insurance program, and supported establishment of a reinsurance captive.
- Senator Daines discussed the National Defense Authorization Act at Malmstrom Air Force Base last week, as well as other issues of mutual concern.
- Manager Doyon participated in a nuclear weapons incident response training session.
- A new exhibit is opening tomorrow at the History Museum that is a look back in time at the Police and Fire Departments.
- Manager Doyon noted his excused absence from the September 4th Commission meeting.

## CONSENT AGENDA

6. Minutes, August 7, 2018, Commission Meeting.
7. Total Expenditures of \$3,852,077 for the period of July 14, 2018 through August 8, 2018, to include claims over \$5,000, in the amount of \$3,560,048.
8. Contracts List.
9. Approve cancellation of outstanding and unpaid checks over one (1) year old issued by City of Great Falls Municipal Court.
10. Approve Final Payment for the 3rd Avenue South (46th Street South to 56th Street South) Handicap Ramps Phase II project in the amount of \$8,121.96 to David Kuglin Construction, and \$82.04 to the State Miscellaneous Tax Fund, and authorize the City Manager to make the payments. **OF**  
**1697.2**
11. Recommend Staff readvertise for the Public Works Facilities Repairs project due to no bids being submitted after the original Invitation to Bid. **OF**  
**1733**
12. Approve Interlocal Agreement between Cascade County and the City of Great Falls for Emergency Fire and Medical Services from October 1, 2018, through September 30, 2021.
13. Set a public hearing for September 18, 2018, on Resolution 10255 to establish residential and commercial water, sewer, and storm drain utility service rates effective October 1, 2018.

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

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

**John Hubbard**, 615 7th Avenue South, referred to Item 13 and encouraged people to watch this evening's work session on water, sewer and storm drain rate review. He suggested the water and sewer infrastructure should have been taken care of before implementing a school levy, park maintenance district, and permissive medical levy.

Mayor Kelly encouraged attendance at the formal presentation on water, sewer and storm drain

rates at the public hearing.

Commissioner Houck referred to Item 12 noting lower insurance rates last year due to the long standing partnership between the City and County. She also encouraged people to watch this evening's work session that provides rate information and a phone number for people to call should they want to analyze their bill.

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

Motion carried 5-0

## **PUBLIC HEARINGS**

### **OLD BUSINESS**

### **NEW BUSINESS**

#### **14. 2018 Great Falls Area Long Range Transportation Plan Update.**

Planning and Community Development Director Craig Raymond reported that, even though this is considered a minor update, it entailed considerable time and coordination with the consultant and multiple agencies. He acknowledged Senior Transportation Planner Andrew Finch's work on this project, and requested that the Commission consider public comment and approve the 2018 Minor Update to the Great Falls Area Long Range Transportation Plan as submitted.

Senior Transportation Planner Andrew Finch expressed appreciation to the consulting firm of Robert Peccia & Associates that also performed the last update to the Long Range Transportation Plan in 2014.

For the 2018 Update, only a minor update was deemed necessary, due to a number of factors: (1) Great Falls' relatively slow growth rate, meaning predictable growth scenarios; (2) Great Falls is growing in the areas projected, meaning accurate traffic projections; and (3) the length of time it takes to move a new project forward (usually 5+ years) means that few projects have moved forward since the 2014 Plan was completed.

Because only a minor update was necessary, the scope of work was limited to:

- Updating the Plan's base year to 2018, with a planning horizon date of 2038, including updating demographic (housing and employment) estimates and projections;
- Updating Level of Service ratings (a measurement of delay at traffic signals) at intersections with latest data;
- Analysis of major roads for volume-to-capacity ratios (i.e., congestion);
- Updating intersection crash "hot spots" with latest data;
- Adding new Non-motorized facilities to map;
- Updating Demographic (housing and employment) estimates and projections;
- Re-affirming public support of the Plan;
- Updating Fiscal Constraint, using latest project cost and available funding estimates;
- Updating Air Quality Conformance analysis;
- Adding new elements, such as Performance Measures and Targets, to comply with new Federal requirements; and

- Re-formatting the Plan into a more user-friendly format.

Two formal, advertised public meetings were held to inform the public and to provide opportunity for direct public input. The consultant maintained a website for the Update ([www.greatfallstransplan.com](http://www.greatfallstransplan.com)), which included an interactive map of the recommended projects that visitors to the webpage could access to provide comment directly to the consultant. Drafts and technical memoranda were also made available to the public on the website as was notification of outreach and comment opportunities. The Draft Update was made available for a 30-day public review and comment period, ending June 10, 2018. The final draft Plan with appendices is available for viewing on the Plan Update website.

The consultant has worked closely with Planning staff, the Montana Department of Transportation, and Federal agencies to ensure the Plan Update meets Federal requirements and guidance. Specifically, the fiscal constraint and air quality conformance elements of the Update have been reviewed and determined to be in compliance with Federal regulations. Additional Plan elements were added for compliance with the latest Transportation Act (FAST-Act – Fixing America’s Surface Transportation). Adoption of the Plan Update will allow the City, County, and State to receive and expend Federal Transportation dollars within the Great Falls Urban Area. A compliant Long Range Transportation Plan must be adopted to expend these monies. Without an adopted Plan, the Great Falls area would lose millions of transportation dollars each year.

The 2014 Update identified transportation facilities at the highest risk of deterioration in service over the life of the Plan. The 2018 Update reaffirmed the areas of the transportation network that needed the most attention, with some of the main areas of concern being:

- Highway 87/15th St NE/Old Havre Highway, and various associated roadway segments and connections – including Bootlegger Trail;
- All five interchanges along the Interstate 15 corridor, and public comment identified concern at the Airport (congestion and safety) and Emerson Junction (limited access) interchanges, while a recent MDT Study quantified operational deficiencies at Exit 0;
- Fox Farm Rd./Country Club Boulevard Intersection, including the I-315 leg; and
- River Drive North from 15th Street North to 38th Street North (2-lane segment), including the intersection at 25th Street North.

While other areas of concern were noted and a number of projects identified, recommended projects are few due to the need to keep the Plan financially balanced. However, to make the Plan viable, other needs are listed as “illustrative projects”, with no funding source identified.

The Plan Update also includes a robust Non-Motorized element to provide the Urban Area with guidance and suggestions for building a connected pedestrian and bicycle network. While not all of the recommendations may be feasible, they do provide a “blueprint” for working toward a connected system for the segment of the community that, by choice or by necessity, uses transportation methods other than the personal automobile.

Other important elements of the Plan include Safety, Transit, Security, Fiscal Constraint, and Air Quality Conformity. New elements include Enhancement of Travel and Tourism, Transportation Infrastructure Resiliency and Reliability, and Performance Measures and Targets.

The various boards and bodies involved in adoption of the Plan Update include: Technical Advisory Committee - approved the Plan Update on July 12; Planning Advisory Board (as MPO) – approved the Plan Update on August 14 and recommended approval by the City Commission; Cascade County Commission – August 14; Great Falls City Commission – August 21; and Policy Coordinating Committee (Final Adoption) – Late August. After local approvals, the Plan will be sent to the Federal approving agencies for final consideration and concurrence.

**Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission approve the 2018 Minor Update to the Great Falls Area Long Range Transportation Plan, and direct its representative on the Policy Coordinating Committee to vote accordingly.**

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

**Shyla Patera**, North Central Independent Living Services, submitted written comments requesting that the City of Great Falls focus on ADA accessibility

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

At Commissioner Robinson's request, Planner Finch noted again that the public can view the 400+ page Plan at <https://www.greatfallstransplan.com>.

Commissioner Robinson noted that improving Stuckey Road will also improve air quality in that area.

Commissioner Bronson referred to Ms. Patera's written comments and inquired if the previously adopted Public Right of Way ADA Transition Plan was referenced or incorporated in the Long Range Transportation Plan and was responded to affirmatively.

Commissioner Moe inquired about the attendance and issues raised at the two public meetings.

Planner Finch responded that attendance was light, approximately a dozen people at each meeting. One person was interested in the functionality of 6th Street SW pertaining to speed and safety. Those concerns were passed along to the Department of Transportation for consideration since it is an MDT route; some people were interested in ADA improvements - Shyla Patera being one that also submitted written comments; and, there were people interested in non-motorized improvements - access to the airport for instance.

Commissioner Moe commented that the current non-motorized network seems spotty. Planner Finch agreed and added that the focus is on filling in the gaps for pedestrian and non-motorized transportation in the network as they are able to.

Commissioner Moe commented that it has been her observation that, because the network is so spotty, there is a tendency on the part of motorized traffic in particular, not to recognize that that is a network of viable transportation for people. She noted her concern about the pedestrian crossing between Broadwater Park and Applebees Restaurant.

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

Motion carried 5-0

15. **Labor agreement between the City of Great Falls and City of Great Falls Public Employees Crafts Council.**

Human Resources Director Gaye McInerney reported that Staff recommends the City Commission approve the labor agreement between the City of Great Falls and City of Great

Falls Public Employees Crafts Council. The Crafts Council consists of 116 employees across six City departments to include Administration, Library, Park and Recreation, Planning and Community Development, Police, and Public Works.

Members of the negotiating team worked to update basic contractual language in order to make the Agreement more clear, more understandable, and consistent.

Changes from the previous Agreement include, but are not limited to:

Article 3 - Definitions: Removed the definition of "seasonal position" as the City does not use this classification. Employees are classified as "temporary employees." The "lead worker" definition was clarified. Added definitions for "Work Schedule" and Work Week."

Article 9.4 - Hours of Work and Overtime: Holidays, but not sick or vacation days, shall be counted as days worked in computing the initial forty (40) hours for overtime purposes.

Article 15.2.5 - Sick Leave: Parental leave was removed as it is provided for under the Family Medical Leave Act (FMLA).

Article 15.6 - Sick Leave: "Leave of Absence" section was removed as it is covered under Article 24 - Leave of Absence.

Article 15.7 - Sick Leave: Clarified death benefits are provided for under the Public Employment Retirement System (PERS).

Article 19 - Health Benefits: Health premium charges after 7/1/18, will be shared at a provider standard rate with the City paying 90 percent and the employee paying 10 percent of the health premium. In addition, the 7/1/18 health premium rates were updated.

Article 27: Updated wording in the clause from Affirmative Action to Non-Discrimination Policy.

Schedule C: Incorporated seven of twelve Letters of Understanding (LOUs) into the labor agreement.

The previous labor agreement period was for a two-year period, expiring June 30, 2018. The term of the proposed Agreement is for a one-year period beginning July 1, 2018, through June 30, 2019.

Negotiating Teams met on three separate occasions over a period of four weeks. Team members were:

Representing the City: Gaye McInerney, Human Resources, Director; Sara Sexe, City Attorney; Melissa Kinzler, Finance Director; Jim Rearden, Public Works Director; Steve Herrig, Park and Recreation Director; Craig Raymond, Planning and Community Development Director; Ross Bartell, Sanitation Manager; Kenny Jorgensen, Streets Manager; Mike Judge, Utilities Manager; Wayne Lovelis, Water Plant Manager; and, Doug Alm, Fleet Manager.

Representing the Public Employees Crafts Council: Jim Stone, Business Representative, Teamsters Local #2; Brian Boland, Field Representative, LiUNA, Local 1686 (Laborers); Troy Buhl, Business Representative, IAMAW District W24, Local 88 (Machinists); Steve Gross, Business Representative, I.U.O.E., Local 400 (Operators); John Johnson, Business Representative, I.U.O.E., Local 400 (Operators); Alan Thomas, Maintenance Worker II, Sanitation; Dave O'Neill, Maintenance Worker I, Utilities; Pat Habel, Customer Service Representative, Utilities; Charlie Marsik, Water Plant Operator II; Cody Lattin, Maintenance

Worker, Streets; Tony Osterman, Master Mechanic, Fleet; and, Mike Lovec, Water Plant Operator II.

The financial impact of a 4.5% increase to wages (3% COLA and 1.5% market adjustment) for a one-year contract is approximately \$347,950. The departmental breakdown is: Administration: \$1,914; Library: \$3,323; Planning and Community Development: \$7,275; Park and Recreation: \$106,626; Police: \$1,937; and Public Works: \$226,875.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission approve the labor agreement between the City of Great Falls and City of Great Falls Public Employees Crafts Council.**

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 requested clarification of the comment made that the term "seasonal position" was eliminated, yet the first Letter of Understanding refers to "seasonal golf laborers."

Director McInerney explained that it is covered in Schedule A wherein the term is now "temporary laborers."

Commissioner Moe inquired about the one year term of the agreement.

Director McInerney responded that negotiations were started a year and a half ago with other labor unions to accomplish two things: an actual provider standard rate of which the City would base its rates off of, as well as a true 90/10 cost sharing split between the City and the employee. Those negotiated agreements were for two years. Those same two items were negotiated in three other labor agreements this year. Now everyone is on the same playing field at the same time going forward next year.

Commissioner Moe also requested clarification of Article 9.4 wherein sick or vacation leave is not counted, but holidays are, in computing the initial 40 hours for overtime purposes.

Director McInerney responded that refers back to the Fair Labor Standards Act that states overtime that is actually worked above 40 hours in a given work week, in most divisions and departments across the City is Sunday through Saturday, was added in for consistency for all agreements.

Mayor Kelly referred to Article 19 and summarized that next year the negotiations for this agreement will be for a two year term to match up with the other negotiated agreements. Director McInerney concurred.

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

Motion carried 5-0

## **ORDINANCES/RESOLUTIONS**

### **16. Resolution 10241, Annual Tax Levy.**

Finance Director Melissa Kinzler reported that the City Commission is required to fix an annual



tax levy by setting mills to generate property tax revenues to fund City operations. The City received its original taxable valuation from the Montana Department of Revenue (MTDOR) on July 30, 2018, and a revised valuation on August 6, 2018. With this valuation, the City can now compute and set its annual mill levy.

During the FY 2019 budget adoption process, the Finance Department projected the City's newly taxable property revenue would be \$400,000. The projection was based on the seventeen-year average of newly taxable property. The newly taxable revenue reported by MTDOR is actually \$689,968. MTDOR cannot identify any specific development or project that this newly taxable revenue can be attributed to.

This amount of newly taxable property revenue means that the City will have slightly more tax revenue than projected of \$289,968 (2% of total General Fund tax revenue). The City anticipates property assessment appeals/abatement requests which means the City will not definitively know how much of this new projected tax revenue will be available until those appeals/abatement requests are processed. For example, in Fiscal Year 2018 the newly taxable property revenue was certified to be \$437,295, and the City has still not received this additional revenue.

The newly taxable property increases the taxable value per mill from \$94,164 in FY 2018 to \$109,457 in FY 2019. The increase in value also indicates that the Great Falls' tax base has expanded.

One immediate benefit to the City's budget is to the Great Falls Public Library. The Library receives nine (9) mills under its agreement with the City. With the newly taxable value, this translates into an additional \$137,637 for the Library in FY 2019.

The total mill levy for Tax Year 2018 (FY 2019) is 177.84 mills totaling \$19,465,893. Last year's mill levy for Tax Year 2017 (FY 2018) certified revenue of \$18,341,320. The differences between the mill levy of \$18.3 million (what the City milled last year) and \$19,465,893 (what the City will mill this year) include the following: \$689,968 for newly taxable property, \$127,721 for the inflationary adjustment, \$300,000 for the Permissive Medical Levy, \$24 adjustment from previous taxable value adjustments, and an additional \$6,908 increase for the revenue needed for the soccer park debt.

As proposed, the projected impact on a \$100,000 home with a taxable market value is: \$1.84 for the inflationary factor, and \$4.30 for the permissive medical levy, for a total amount of \$6.14 per year.

State law requires that the City adopt a FY 2019 Budget which includes setting the annual mill levy amounts on or before the first Thursday after the first Tuesday in September or 30 days after receiving taxable valuation from the Montana Department of Revenue, whichever is later. Staff recommends that the City Commission adopt Resolution 10241 without any adjustments.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10241.**

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

Motion carried 5-0

## **CITY COMMISSION**

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

Mayor Kelly announced that the rain delayed Lewis and Clark Festival has been rescheduled for August 25, 2018 at Gibson Park. The River's Edge Trail luminaria walk will also be held that evening.

Commissioner Bronson announced that members of the Commission will be participating in a panel before the group, Great Falls Rising, along with the County Commission, on August 28, 2018. Current legislators and legislative candidates have also been invited. It will be an opportunity for the City and County Commissions to interact with legislators about what the concerns of local government are.

Commissioner Houck reminded motorists to slow down and be aware of school zones as the school year begins next Wednesday.

Commissioner Robinson announced that Fire Chief Hester and Police Chief Bowen will be making presentations at the opening exhibit at the History Museum tomorrow evening.

18. **Commission Initiatives.**

None.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Commissioner Bronson, to adjourn the regular meeting of August 21, 2018, at 8:03 p.m.**

Motion carried 5-0

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**Mayor Bob Kelly**

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**City Clerk Lisa Kunz**

**Minutes Approved:  
September 4, 2018**