

Regular City Commission Meeting

Mayor Winters presiding

**CALL TO ORDER:** 7:00 PM

**PLEDGE OF ALLEGIANCE** – Knights of Columbus

**MOMENT OF SILENCE**

**ROLL CALL:** City Commissioners present: Michael Winters, Bill Bronson, Fred Burow, Bob Jones and Mary Jolley. Also present were the Deputy City Manager, Directors of Fiscal Services, Park and Recreation, Planning and Community Development, and Public Works, Interim Police Chief, and the City Clerk.

**PRESENTATION:** Mayor Winters presented a Certificate of Appreciation to Bryan Thies for his years of service as a member of the Park and Recreation Board. Park and Recreation Director Marty Basta will present James McCarvel with a similar certificate due to his absence this evening.

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

### **NEIGHBORHOOD COUNCILS**

#### **1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from Neighborhood Council representatives.

### **BOARDS & COMMISSIONS**

#### **2. APPOINTMENT, MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.**

Commissioner Jolley moved, seconded by Commissioners Burow and Jones, that the City Commission appoint Edward (Larry) Gomoll to a three-year term beginning January 1, 2012, through December 31, 2014, to the Mansfield Center for the Performing Arts Advisory Board.

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

Motion carried 5-0.

#### **3. APPOINTMENTS, PARK AND RECREATION BOARD.**

Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission reappoint Karen Harant for a three-year term through December 31, 2014, and appoint Michael MacDonald and Patrick Carroll for three-year terms beginning January 1, 2012, through December 31, 2014, to the Park and Recreation Board.

Mayor Winters asked if there was any discussion amongst the Commissioners or inquiries from the

public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from representatives of Boards and Commissions.

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

5. **AUDIT REPORT, FISCAL YEAR 2010-2011.**

Fiscal Services Director Melissa Kinzler reported that the Comprehensive Annual Financial Report, the audit report, and audit have been completed. Pursuant to state statute, the City is required to have an annual financial audit and file a fiscal year-end report within six months after year-end with the State of Montana. The financial report was presented and accepted by the City's audit committee on December 13, 2011. Included with the audit report were a Required Client Communication Letter and the City's responses. Minor changes have been made, provided to the Commissioners, and will be corrected in the final posted version of the Comprehensive Annual Financial Report (CAFR). The Audit Committee recommends that the City Commission accept the Comprehensive Annual Financial Report (CAFR), the annual Independent Auditor's report, Required Client Communication Letter, and the City's responses to Required Client Communication Letter, and authorize staff to submit the related reports to other government agencies and financial institutions as necessary.

Loran Stensland, Certified Public Accountant with Junkermier, Clark, Campanella, Stevens, P.C. (JCCS), reviewed the three page Required Client Communication Letter. He commended Fiscal staff for their work on the CAFR and prior years' Certificates of Achievement for Excellence in Financial Reporting awards. Mr. Stensland reviewed page 190 of the CAFR, Summary of Auditor's Results, and concluded that the City received a clean audit opinion on the financial statements of the City.

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission accept the FY 2010-2011 Comprehensive Annual Financial Report (CAFR), Responses to the Required Client Communication Letter recommendations as presented, and authorize staff to submit the related reports to other government agencies and financial institutions as necessary.**

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, commented that, should the City's old software fail as referred to in Agenda Report 6, he believes the City would have difficulty adapting the information

to the new system. He also referred to page 36 of the CAFR and disagreed with the language about what the Assignment and Assumption Agreement transferred, and noted since there was no mention of the customer contracts, the paragraph was flawed. He also pointed out that a capital "M" should be used when referring to megawatts of electricity.

Mr. Gessaman pointed out an error under "Bulk Water Service" on page 69.

Mr. Gessaman also referred to pages 118 through 122 and commented it made no sense to him why the City operates a parking program that is losing money and taking money out of the downtown shoppers' pockets.

Motion carried 5-0.

**6. CONTRACT AWARD, NEW WORLD BUSINESS AND FINANCIAL SOFTWARE.**

Fiscal Services Director Melissa Kinzler reported that Innoprise, the City's financial and community development software, was purchased by Harris Systems USA Inc. This purchase has created major issues with the software support provided to the City. In October, 2011, New World Systems (New World) approached the City of Great Falls with an offer for software and maintenance services over a 10 year period. The City of Great Falls currently runs New World software on the Public Safety side. This contract would be an additional software license agreement. New World has had a windows-based platform since the early 2000's. It has 25 years of public administration experience and has over 1,500 organizations using its software. New World held a full day demonstration of its software for City staff. City staff contacted references provided by New World and received positive feedback. Cascade County is currently on this system and offered favorable comments. Staff feels New World would be the best fit for the City's current needs. Thus, New World would be considered a sole source. Moving to New World would not require substantial upfront costs. The annual cost would be very similar to what the City paid under its original software.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission award a ten (10) year contract in the amount of approximately \$138,400 annually, and an initial one-time allocation of \$52,500 for travel costs, to purchase New World Systems for Business and Financial Software and authorize the City Manager to execute the agreements.**

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

Commissioner Burow commented that everything will now be on one system and will receive the needed support.

Mayor Winters inquired if there were any public comments.

**Cyndi Baker**, 500 Montana Avenue NW, inquired if this contract included the Police Department, the amount of the Police Department contract, and the estimated cost for travel expenses. She was informed this is an additional contract with New World, and the Police Department's contract was approximately \$230,000 per year. New World representative Thad Bennett explained how the company bills for travel time. IT Manager Jon Legan added it was not uncommon for the IT Department to enter into long term contracts.

Ms. Baker inquired what the hourly rate for travel time would be. After further discussion, Deputy City Manager Jennifer Reichelt commented that she would get back to Ms. Baker with the information.

**Kathy Gessaman**, 1006 36<sup>th</sup> Avenue NE, inquired if something should happen with New World, could the City get out of the contract. She also inquired why the City chose Innoprise over New World originally.

Ms. Kinzler responded there is an indemnity clause in the contract, and it has been reviewed by legal counsel. She explained the City chose Innoprise due to a price savings, and Innoprise agreed to maintain the Sunguard HTE application.

Ms. Reichelt added that the City did not anticipate Innoprise being bought out and not being able to service the City's needs with payroll and financial products.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, quoted from Agenda Report 21 of the July 21, 2009 Commission meeting, and commented that the training time was wasted. He doesn't understand why the City didn't consider New World at the time. He also inquired about the discounts in the New World contract.

Mr. Bennett explained that the license fees, implementation, training and maintenance fees are combined into one cost on an annual basis, and divided by 10 payments.

Motion carried 5-0.

### **ORDINANCES/RESOLUTIONS**

**7. RESOLUTION 9951, DIRECTING THE PLANNING ADVISORY BOARD TO INITIATE THE PROCESS OF UPDATING THE 2005 GROWTH POLICY.**

Planning and Community Development Director Mike Haynes reported that this is a request to adopt Resolution 9951, thereby directing the Planning Advisory Board to initiate the process of updating the 2005 Growth Policy. The Growth Policy, formerly known as the Comprehensive Plan, is the City's long-range plan for growth and development and establishes public policy to guide decisions on the physical, social and economic development of the community. Minor updates to the 1999 City-County Comprehensive Plan were made in 2003 and 2005.

Similar to the recently adopted Downtown Master Plan, the process for updating the Growth Policy will be for Planning staff to assemble data and conduct analysis on current conditions, coordinate with relevant City Departments and other agencies that serve the community, and then to facilitate a robust public involvement process to establish a vision for the community and policies to achieve that vision.

The planning process will take more than a year. Planning staff will draft a Growth Policy document for review by the Planning Advisory Board and ultimate consideration and adoption by City Commission.

**Commissioner Bronson moved, seconded by Commissioners Jolley and Jones, that the City Commission adopt Resolution 9951 directing the City Planning Board to begin the process of**

**updating the 2005 Great Falls Growth Policy.**

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

Motion carried 5-0.

**CONSENT AGENDA**

8. Minutes, December 6, 2011, Commission meeting.
9. Total expenditures of \$2,620,134 for the period of November 24-December 14, 2011, to include claims over \$5,000, in the amount of \$2,355,984.
10. Contracts list.
11. Grant list.
12. Approve Memorandums of Understanding with Get Fit Great Falls.
13. Approve Memorandum of Understanding with Cascade County for maintenance and cleaning of the Gibson Flats Drainage Ditch.
14. Award bid in the amount of \$126,852 with trade-ins to Midland Implement of Billings for four new Toro GM315oQ greens mowers, two with groomers.

**With the exception of Item 12, Commissioner Jolley moved, seconded by Commissioner Burow, that the City Commission approve the Consent Agenda as presented.**

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, with regard to two items in the Minutes of December 6 - Item 8, Mr. Gessaman discussed Northview Addition phases and road access, as well as expressed that he was in favor of a smoking restriction and was opposed to a smoking kiosk for City employees.

With regard to Item 13, Mr. Gessaman opined that maintenance costs will exceed \$60,000 in 10 years, and inquired why the option to renew was for five years. Mr. Rearden responded the City has not contributed for maintenance of the area to date, and that City legal staff recommended the change to five years. The Rural Improvement District contributes to the maintenance costs as well.

Commissioner Bronson made a point of clarification that his understanding of the motion was to approve the consent agenda with the exception of Item 12. The Commissioners concurred that public comment was being accepted for the Consent Agenda items, except Item 12.

**Cyndi Baker**, 500 Montana Avenue NW, asked if any Great Falls' implement dealers submitted bids for the mowers in Item 14. Mr. Rearden responded that two bids were received and both were from Yellowstone County.

There being no one else to address the Commission, Mayor Winters called for the vote on the Consent Agenda, except Item 12.

Motion carried 5-0.

**Commissioner Bronson moved to approve the Memorandums of Understanding with Get Fit Great Falls (Consent Agenda Item 12).**

Motion failed for lack of a second.

### **PETITIONS AND COMMUNICATIONS**

#### **15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Winters opened the meeting to Petitions and Communications.

- A. Alicia Thompson**, Health Officer for Cascade County, residing at 3616 7<sup>th</sup> Avenue North, explained that Get Fit Great Falls is a committee of representatives of all types of agencies throughout the community. The purpose of the coalition is to combine the synergies of all the agencies to better their ability to obtain grants. She is confused why a memorandum of understanding is not being approved by the City Commission.
- B. Jane Weber**, 701 4<sup>th</sup> Avenue North, explained that Get Fit Great Falls has been in existence about six years and has approximately 15 members. The coalition works together to educate and encourage health. She commented that the original memorandum of understanding still stands; they were just trying to update it to include the Healthy People 2020 Initiative as more of their framework since that is the language currently in vogue dealing with health issues on a national basis. Ms. Weber expressed disappointment that the memorandum of understanding was not discussed and considered.
- C. Matthew Marcinek**, Regional Parks Manager for Montana State Parks (MSP), residing at 1912 32<sup>nd</sup> Street South, commented that MSP has been involved with Get Fit Great Falls since its inception, and will renew its memorandum of understanding. Mr. Marcinek commented that Get Fit Great Falls shows progressive thinking and a healthy environment. He uses it to recruit young professionals to Great Falls.
- D. Mike Sullivan**, 2004 3<sup>rd</sup> Avenue North, spoke against cell phone usage while driving. Mr. Sullivan urged the City Commission to consider limitations on people using cell phones while driving, and suggested penalties for violations.
- E. Rudolph Tankink**, 3620 9<sup>th</sup> Avenue North, commented that he agrees with Commissioner Jolley with regard to Get Fit Great Falls. He believes it is another way for government to get into private affairs.
- F. Cyndi Baker**, 500 Montana Avenue NW, complimented City department heads and the City Commissioners for looking fit and leading by example.

Mayor Winters asked if the Commissioners wanted to comment about Get Fit Great Falls.

Commissioner Bronson commented that he agrees with Ms. Thompson and Ms. Weber. He doesn't see anything wrong with approving the memorandum of understanding, and wished there was some public discussion on the issue.

Commissioner Jones thought a proclamation would be sufficient to show the City's support.

Commissioner Burow and Mayor Winters concurred with Commissioner Jones.

### **CITY MANAGER**

#### **16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Deputy City Manager Jennifer Reichelt provided an update on the civic organization signage project. She also reminded everyone that City offices will close at 3 p.m. on Friday, December 23<sup>rd</sup> and 30<sup>th</sup>, and will be closed Monday, December 26<sup>th</sup> and January 2<sup>nd</sup>, in observance of the holidays, and that an open house is scheduled for January 3<sup>rd</sup> in lieu of a work session for the public to meet their elected officials.

### **CITY COMMISSION**

#### **17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Burow commented that the National Safety Council is now recommending no use of cell phones while driving. He thinks it is time to research ordinances and see what the City can come up with.

Commissioner Bronson reported that Mr. Gilberts was unanimously chosen as tribal council to represent the Little Shell Tribe of Chippewa Indians. He hoped that some time in the future the City Commission can officially recognize the Tribe in some capacity as the City continues its longstanding relationship with the Tribe.

Mayor Winters thanked City staff and fellow Commissioners for support during his first term. He also wished everyone a Merry Christmas and a Happy New Year.

#### **18. COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the regular Commission meeting, **Commissioner Bronson moved, seconded by Commissioner Jolley, that the regular meeting of December 20, 2011, be adjourned at 8:33 p.m.**

Motion carried 5-0.

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Mayor Winters

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City Clerk

Minutes Approved: January 3, 2012