

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Girl Scout Troop 3121

MOMENT OF SILENCE

ROLL CALL: City Commissioners present: Michael J. Winters, Robert Jones, Bill Bronson, Mary Jolley and Fred Burow. Also present were the City Manager, Deputy City Manager, City Attorney, Directors of Fiscal Services, Park and Recreation, Planning and Community Development, Public Works, Executive Director of the Housing Authority, Fire Chief, Police Chief and the City Clerk.

NEIGHBORHOOD COUNCILS

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports or announcements from neighborhood council representatives.

BOARDS & COMMISSIONS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

PUBLIC HEARINGS

Ord. 3063. Public hearing conducted and closed, and final action scheduled for March 1, 2011.

3. ORDINANCE 3063, AMENDING INTERNATIONAL PROPERTY MAINTENANCE CODE PERTAINING TO TITLE 15, CHAPTER 5.

Planning and Community Development Director Mike Haynes reported that the requested action is to conduct a public hearing and adopt Ordinance 3063, to amend Title 15 of the Official Code of the City of Great Falls pertaining to Buildings and Construction to reflect replacing the 2003 International Property Maintenance Code (IPMC) with the 2009 edition as adopted by the International Codes Council. The IPMC governs condition and maintenance of all existing properties, buildings and structures to insure they are safe, sanitary and fit for occupation. City Code and the IPMC provide the basis upon which the City’s one code enforcement officer responds to citizen complaints about the condition of real property within the City. About ninety-five percent of the complaints received relate to residential properties. These codes primarily preserve and protect neighborhoods from decline and neglect. Mr. Haynes summarized the changes in the 2009 edition which mostly expands upon and clearly defines the role and responsibilities of the code official, adds and revises definitions,

and clarifies and expands on the conditions that constitute unsafe buildings and structures. If this code does not get adopted, City staff will continue to do code enforcement based on the 2003 edition of the IPMC, but without benefit of the clarifications and amendments that are deemed necessary and helpful from six years of questions received and interpretations made by the International Codes Council. Every property owner and resident of Great Falls benefits from stable residential neighborhoods, as well as non-residential development, not just for the health, safety and welfare, but for a better quality of life, protection of property values, maintaining the tax base, and encouraging pride in the community.

Mayor Winters declared the public hearing open.

Rick Tryon, 2709 1st Avenue North, Government Affairs Director for the Great Falls Association of Realtors, expressed appreciation to City officials for their leadership and service to this community. On behalf of the Great Falls Association of Realtors, Great Falls Development Authority, Income Property Owners & Managers Association, Home Builders Association of Great Falls, Great Falls Area Chamber of Commerce, and Great Falls Montana Landlord Association, Mr. Tryon provided and read a letter for the Commission's consideration. Mr. Tryon requested that this Ordinance be tabled for 30 days to allow these representatives time to conduct a review of the proposed changes and determine the potential impacts.

Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission close the public hearing and schedule final action on Ordinance 3063 for March 1, 2011.

Commissioner Bronson explained that, by closing the public hearing, this will give the Commission the opportunity to entertain any comments that these organizations direct to staff over the course of the month. The Ordinance can then be brought back for deliberation and final action by the Commission. Commissioner Bronson also noted that the code modifications are contained with the ordinance and can be viewed in the agenda packet material, and that the text of the 2009 IPMC could be purchased from Amazon. Commissioner Bronson concluded that the Commission will take some type of action, either to adopt, adopt with modifications, or reject Ordinance 3063 at the March 1st meeting.

Commissioner Jolley inquired if the public hearing was closed would the Commission be voting on March 1st without further public comment.

City Manager Doyon clarified that before final action the Commission would still ask for public comment.

There being no further discussion, Mayor Winters declared the public hearing closed.

Motion carried 5-0.

Commissioner Burow suggested to Mr. Tryon that he set up a time with Mr. Haynes to review the 2009 edition of the IMPC.

OLD BUSINESS

NEW BUSINESS

**City Manager Contract
Renewal. Approved.**

4. CONTRACT RENEWAL, CITY MANAGER.

Mayor Winters reported that this item is to approve or deny the City Manager's employment agreement.

Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission approve the three-year City Manager Employment Agreement with Gregory T. Doyon.

Mayor Winters asked if there was any discussion amongst the Commissioners. No one responded.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

Ord. 3064. Adopted.

5. ORDINANCE 3064, AMENDING TITLE 1, CHAPTER 4 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS BY ADDING SECTION 045 TITLED "CITY FLAG."

Mayor Winters reported that, at the December 1, 2010, agenda setting session, he expressed his desire for the City of Great Falls to have an official flag as a symbol of pride for the community. At its December 15 and 29, 2010, agenda setting sessions, the City Commission discussed the design for an official flag and requested staff to research the matter. It was determined that the City logo would be used. The logo captures major elements of Great Falls, including the falls, the buffalo skull representing Charlie Russell, Lewis & Clark, Square Butte, strip farming, the big sky, the railroad tracks and, at one time, the smokestack. The Official Flag of the City of Great Falls will be displayed in the Commission Chambers. Additionally, replicas of the flag may be used by elected officials and City staff for purposes of representing and publicizing the City of Great Falls in city-related events. The cost for the design of a flag and accessories is approximately \$400. The City Clerk's Office is in receipt of an anonymous donation in the amount of \$300 for costs specific to the creation of an official flag.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission adopt Ordinance 3064.

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

Commissioner Burow inquired about another \$100 donation. Mayor Winters noted that donation hasn't been received yet from Mr. Brett Doney of the Great Falls Development Authority.

Mayor Winters asked if there were any inquiries from the public.

Ron Gessaman, 1006 36th Avenue NE, commented that he and his wife prefer the City seal. He commented that the letters "o" and "n" in the word "Montana" are not dark enough and do not stand out.

Mike Witsoe, 510 11th Street South, inquired if the logo was copyrighted, and whether it would be made locally. Mayor Winters responded that the City Attorney would research the copyright, and that the flag will be made locally.

Motion carried 5-0.

**Consent Agenda.
Approved.**

CONSENT AGENDA

6. Minutes, January 18, 2011, Commission meeting.
7. Total Expenditures of \$1,620,984 for the period of January 10-26, 2011, to include claims over \$5,000, in the amount of \$1,443,753.
8. Contracts list.
9. Reject all bids for the Boys and Girls Club of Cascade County HVAC Renovation. **OF 1620**

Commissioner Jolley moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda as presented.

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

Commissioner Bronson pulled Item 6, the Minutes, to correct a typographical error on page 2011.17.

Commissioner Burow requested that Item 8, the Contracts List, be pulled for discussion. With regard to 8C, he inquired if the City would be fully reimbursed by the vendor fees.

Park and Recreation Director Marty Basta responded that the City will receive a payment from the State of Montana for \$10,000 to cover those costs, and staff is anticipating revenue in an approximate amount of \$32,500.

With regard to 8E, Commissioner Burow noted that the project was previously approved and inquired if the Commission had to now allocate the grant funds.

Commissioner Jolley clarified that the Commission does have to allocate the funds to a specific entity.

Planning and Community Development Department Director Mike Haynes added that these disbursements have been on agendas over the past few months as projects move forward.

Mayor Winters asked if there were any inquiries from the public.

Ron Gessaman, 1006 36th Avenue NE, commented that the word “free” was omitted from Item 6, the Minutes, in the discussion Resolution 9913 and records sent electronically. With regard to Item 8D, Mr. Gessaman inquired why a facilitator was paid for the Commission’s goal setting meeting when the City has one on staff.

Mayor Winters noted that it was discussed with the City Manager and the decision was made that it was in the Commission’s best interest to bring in an outside facilitator. It was a good session and the facilitator’s report regarding Commission priorities was included in the packet for review.

Commissioner Jolley added that they didn’t “bring him in.” The facilitator was already in town facilitating a meeting for another organization.

Mr. Gessaman concluded that the City should make use of its own taxpayer paid staff.

Mike Witsoe, 510 11th Street South, requested an explanation about the bids for the Boys and Girls Club of Cascade County HVAC Renovation project.

City Manager Doyon explained that the bids were rejected because they came in higher than what was allocated during the CDBG process. The engineer will re-design the project to get the costs down.

There being no one else to address the Commission, Mayor Winters called for the vote.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

10. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters opened the meeting to Petitions and Communications.

Southern Montana, golf staff incentives, ECP.

10A. Ron Gessaman, 1006 36th Avenue NE, thanked the City Manager for noticing the Southern meeting last Friday. That notice provided the impetus for Mr. Doak to allow the public entry. As an attendee, it was made apparent to him that Mr. Gregori and Southern have no concern for the customers of ECP. Mr. Gregori's only concern appeared to be the fact that he needs to sell electricity.

Mr. Gessaman also discussed a *Tribune* article regarding incentives for top golf staff. He hoped there were no other incentives, bonuses or various other payments to City staff that the public hasn't been told about.

Mr. Gessaman concluded that he hoped he would get an explanation to his question regarding "how ECP is allowed to get into the City's piggy bank" at the next ECP Board meeting.

Golf staff incentives, accountability.

10B. John Hubbard, 615 7th Avenue South, commented he was shocked to learn about the golf course incentives. Mr. Hubbard discussed ECP's losses and noted that he still wants an accountability law.

Mayor Winters reminded Mr. Hubbard to confine his comments to what the City Commission can do at this time.

Donation of cold weather items, videotaped meeting, golf staff incentives, whistleblower.

10C. Mike Witsoe, 510 11th Street South, discussed the cold weather and encouraged everyone to check on animals and the elderly, as well as to donate children's boots, clothes and gloves to the Rescue Mission. Mr. Witsoe commented that he videotaped the recent Southern meeting. He also discussed the golf course staff incentive pay, and a City staff member coming forward with information without threat or retaliation.

CITY MANAGER**11. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mr. Doyon commented that if Mr. Witsoe has information about threats to City employees he should visit with the Police Chief so that it can be properly investigated.

Mr. Doyon also reported that the Commission was provided a lengthy summary about the golf incentives that recently occurred. It was the result of a National Golf Foundation Management Improvement Study that was completed and given to the City Commission publicly in 2005. Those recommendations were implemented in a public fashion.

Mr. Doyon congratulated Melissa Kinzler for her appointment to City Fiscal Services Director.

CITY COMMISSION**12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Jolley noted that the United States Flag is not copyrighted.

Mayor Winters expressed appreciation to the citizens in attendance at this meeting. He echoed Mr. Doyon's comments about reporting threats. He also reminded Mr. Brett Doney about the \$100 donation he promised.

ADJOURNMENT**Adjourn.**

There being no further business to come before the regular Commission meeting, **Commissioner Bronson moved, seconded by Commissioner Jones, that the regular meeting of February 1, 2011, be adjourned at 7:52 p.m.**

Motion carried 5-0.

Mayor Winters

City Clerk

Minutes Approved: February 15, 2011