

**JOURNAL OF COMMISSION WORK SESSION**  
**November 3, 2010**

City Commission Work Session

Mayor Winters presiding

**CALL TO ORDER:** 5:45 p.m.

**ROLL CALL:** City Commissioners present: Michael J. Winters, Robert Jones, Bill Bronson, and Fred Burow. Commissioner Jolley was excused. Also present were City Manager, Deputy City Manager, City Attorney, Directors of Planning and Community Development, Public Works, Park and Recreation, and Library, the Assistant Director of Fiscal Services, the Executive Director of the Housing Authority, Police Chief, the Fire Marshall, and the Administrative Secretary.

**1. LIVE STREAMING & BROADCASTING OF COMMISSION MEETINGS**

Deputy City Manager Jennifer Reichelt provided a PowerPoint presentation for discussion of Great Falls Channel 7. Ms. Reichelt explained that a Fact Sheet of the general history of Channel 7 was provided to the Commission the past week. She noted that during the budget process this past year, Staff received direction that funding for Cable 7 would continue in the form of in-kind contributions (the salary for a video production specialist, space, equipment, etc.). No funding was to be provided through franchise fees or for insurance and equipment.

Ms. Reichelt reported that the non-profit, Cable 7, Inc., has notified the City that they are dissolving their organization through lack of funding. Because there is an agreement between the City and Bresnan, the City must decide what that station will provide.

At this time, Staff is recommending a "Government Access" channel that will only provide meetings and government access programming like the City Commission meetings. Other entities such as the County Commission, the airport, school district, etc. could have the opportunity to have their government board meetings available on television and a fee could be charged.

Ms. Reichelt added that Staff has been researching options to improve the quality and clarity of Channel 7 and looking at opportunities to expand viewership and accessibility.

Options to be considered include the status quo. A staff person on board could continue operating Channel 7 with the current equipment and funding could continue to pay for camera operators at each Commission meeting. However, the quality/clarity and sound would not improve for viewers at home.

The second option would be for the Commission to direct Staff to negotiate with or fund Cable 7, Inc., the non-profit. The non-profit is requesting funding for equipment, a signed contract, and a memorandum of understanding requesting a portion of the franchise fees (a staggered request that increases over the years, up to 20%).

The third option includes new technology options to enhance the clarity and video production. The "Studio in a Box" (\$15,000) provides a switcher box for editing and production capabilities but does not enhance the sound or picture quality. The Semi-Automated Cameras & Sound Enhancements (\$15,000) and the Fully-Automated Cameras & Sound Enhancements (\$20,000) would replace the man-cameras with dome mounted cameras. They don't provide great up-close shots but do provide good overview shots. They also are more hidden and usually don't have to be manned. The Semi-Automated have preset shots and someone must switch modes. The Fully-Automated is voice-activated by microphones with on-screen text, and videos and PowerPoint presentations can also be inputted into the broadcast.

The fourth option provides live streaming/synching technology. Viewers can watch meetings on Cable 7 or the Internet (live or on-demand), and meetings are synched to the agenda. Specific topics can be researched. The cost is minimal; there is a monthly hosting fee. Many communities are using live streaming technology to be better accessible and open to citizens.

Commissioner Burow questioned if the City's current web page could provide the same capability, with an extra host. Ms. Reichelt responded she doesn't believe the City has the band width to host and stream meetings live. That is one of the benefits of using a company that will host on-line. The City website would post meetings, but they would be hosted on another site. They would not use server space or band width. The company also archives the meetings so the City's memory or network space would not be used.

Cities in Montana that currently have live streaming available include Bozeman and Kalispell. Missoula has audio streaming available and is talking with the two major live streaming companies, A/V Capture All and Granicus. Ms. Reichelt demonstrated an audio and visual web site of a council session from San Juan County, Washington. She noted the agenda is linked on the screen to the meeting.

Ms. Reichelt reported franchise fees are fees paid to the city by a cable television company for the use of public right-of-way. The City receives quarterly franchise fees from Bresnan. Estimated FY 2011 revenue is \$701,721, over \$45,000 more than was budgeted. Recommendations are to use the excess revenue to improve Channel 7.

Ms. Reichelt explained recommendations are to begin operating Channel 7 as a Government Access Channel, continue airing City Commission meetings and public service message boards, and work with local governmental/quasi governmental agencies to air their public meetings for a fee. Recommendations also include technology and sound improvements, including a live streaming contract at about \$200/month.

Mayor Winters opened the meeting to audience members to direct questions to the Mayor regarding the Channel 7 presentation, and the Mayor would make inquiry to Ms. Reichelt. The one-time only questioning period would last until 6:25 p.m.

**Stuart Lewin**, 615 3rd Avenue North, encouraged use of computer technology and questioned if some of the costs listed were one-time costs and some monthly costs.

Ms. Reichelt responded there are one-time hardware costs to improve sound and clarity, in addition to ongoing costs. The “Studio in a Box” (\$15,000), Semi-Automated Cameras & Sound Enhancements (\$15,000) and the Fully-Automated Cameras & Sound Enhancements (\$20,000) are one-time equipment costs. A live streaming hosting fee of approximately \$200/month (\$2,500/year) would be an ongoing cost.

**Kathleen Gessaman**, 1006 36th Avenue N.E., commented that the Cable 7, Inc. Board questioned why a contract wasn’t discussed.

City Manager Greg Doyon responded that the last letter received indicated a need for Cable 7 to purchase insurance, and that his understanding was that any agreement to be signed was contingent on funding. Mr. Doyon added that, since January, the Commission has not given a majority consensus to fund Cable 7. He believed continued operation was dependent on funding that was not supported by the Commission.

Ms. Gessaman agreed the Board requested \$3,000 for multi-media insurance and \$2,000 liability insurance. She believes the City will also need to acquire multi-media insurance.

**Richard Liebert**, 289 Boston Coulee Rd., commended Ms. Reichelt for the presentation. He believes it is important to provide access for viewing public meetings on the Internet and Channel 7. Without a studio, the community would not have access for interviews and community-interest shows. He encouraged the City to examine the issue of risk and broadcast insurance. He believes the key is public access that should be expanded to the Planning Board and other City advisory boards.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., believes government access is a step back from public access television. All larger cities in Montana have public access television. The public is being short-changed.

Ms. Reichelt responded there are government access models, public access models, public education and government channels. With the current staff and resources, government access is the best option, and the government access programming option doesn’t have to be forever. She believes it is asking a lot for a half-time staff to program 24 hours/day. The current goal is to keep City Commission meetings accessible to residents.

**Kevin Manthey**, 304 7<sup>th</sup> Avenue S., commented the issue is his “bread and butter” and his 10 years at Great Falls Channel 7. Mr. Manthey noted the “Studio in a Box” live streams standard definition video in real time. He reported that some shows have been cancelled and refunded. Because twenty hours a week does not allow time to produce shows, preprogrammed shows are dubbed and aired for a fee.

When in Spokane recently, Mr. Manthey reported he observed the local cable access station with prepositioned dome cameras. He stated Great Falls has better coverage, better cameras, and better sound. He noted the sound and video will only improve when interference from KRTV’s digital transmitter is resolved in some homes and areas of town. Viewers can contact Bresnan

and their technicians will make the necessary adjustments.

With 30 years in broadcasting, Mr. Manthey commented he wants the community to stay involved in the cable access portion of Channel 7. He requested reinstatement to full time to generate shows and increase income.

Ms. Reichelt clarified the though the “Studio in a Box” has live streaming capabilities, with the current band width, a large number of residents on the web site would cause a crash. Though that option does not have synching capability, a live streaming company can take that feed and use it without the City band width having to host it. She added there are sound and clarity problems in the Commission Chambers related to technology and equipment that must be improved.

Commissioner Burow noted that when visiting one of his employees, he observed the televised Commission meeting was hard to see or understand. When he returned home, the meeting was clear and easy to understand on his television. Bresnan was able to clear up the problem.

Mr. Doyon reported that under the City’s agreement with MMIA, equipment and programming would be included in coverage with government access only programming. He requested Commission direction to proceed.

Commissioner Burow requested a daily time allocation report from Mr. Manthey. Commissioner Jones noted he preferred airing meetings online for review later. Commissioner Bronson noted he wanted time to consider the issue, and Mayor Winters agreed.

Ms. Reichelt stated she was available to answer questions and provide additional information.

## **2. PRIVATELY OWNED VEHICLES FOR SALE**

Planning and Community Development Director Mike Haynes provided a PowerPoint presentation on the problems the City has been encountering with privately-owned vehicles for sale. He displayed recent photos of several locations including 57<sup>th</sup> Street South, the Northwest Bypass, City right-of-way on 10<sup>th</sup> Avenue South. He also showed photos of business properties on 10<sup>th</sup> Avenue South, Sixth Street N.W., and Central Avenue West and Third Street. Some of the properties are vacant commercial and some are on commercial where businesses are operating.

Individuals are selling vehicles on private property without permission; some are selling on private property with permission; and, he believes some people charge a weekly rent to allow private vehicles to be advertised for sale on their curb. He noted banks and business are selling repossessed vehicles. There are also curbstoners.

Curbstoners are people who purchase vehicles at volumes that require a dealer license and pose as an individual seller. The State Motor Vehicle Division has stated curbstoners are a major problem, but the State includes any vehicle for sale by a curb.

Mr. Haynes reported this problem on vacant properties is a visual blight on the community and a violation of State law unless written consent of the property owner is posted in the vehicle and the sale is incidental to a business operation. There is also a violation if the vehicle is not located in a zoning district that allows auto sales. Vehicles are often parked in the right-of-way and it is sometimes difficult to tell if vehicles are for sale or abandoned. Also, many time the vehicles are not licensed or registered.

Mr. Haynes stated the problem on business properties is also a visual blight on the community and a potential violation of State law. Again, there is a violation if the vehicle is not located in a zoning district that allows auto sales. In most cases, these businesses do not have Safety Inspection Certificates (SIC) and are operating without the City's approval. Also, vehicles for sale may take up required parking, another code violation.

Mr. Haynes listed alternatives for the private sale of personal vehicles including advertising online, the newspaper, trade journals or other print media, or a licensed auto dealer.

Proposed solutions regarding vacant properties include educating the public; working with property owners to secure their property; notifying violators to move their vehicles; and, getting permission from out-of-town property owners to tow violator's vehicles as a last resort. Mr. Haynes added that the Police Department has the authority to tow vehicles in violation of the right-of-way.

Proposed solutions for business properties also include educating the public; educating property/business owners and issuing SIC's for legitimate sales; and, noticing violators and providing legal alternatives. Again, the Police Department has the authority to tow vehicles in violation of the right-of-way.

Mr. Haynes asked the Commission if this is a problem that needs to be addressed. Is so, the proposed action plan is to educate the public, work with property owners, and enforce existing codes. The State Motor Vehicle Division maintains that public education will result in compliance "90% of the time" and enforcement will ultimately result in "no violations". No new regulations are currently being proposed; however, Missoula issues \$10 tickets for violations and that has eliminated the problem.

Mr. Haynes showed a copy of the warning notice put on vehicles in Missoula. He also showed a copy of a *Great Falls Tribune* article from about 10 years ago reporting the State targeting the same issue in the K-mart parking lot. Pursuing the problem will require a commitment of time and resources contacting property owners and violators, and creating signs and asking interested property owners to pay to install them.

Commissioner Bronson supported addressing the problem. Commissioner Jones agreed. Commissioner Burow questioned if an individual may sell a car at their own residence. Mr. Haynes responded they have the right to do that on their own property and also advertise with a sign in their car. Commissioner Burow also questioned sales of wood in parking lots. Mr. Haynes responded those vehicles cannot use required parking. He added that code enforcement complaints are addressed as received, based on the available staff. Commissioner Burow and

Mayor Winters gave their support to addressing the problem.

Mayor Winters asked Mr. Haynes if he forwarded the information to Mayor Embody in Cut Bank. Mr. Haynes responded he sent a copy of a memo he issued and offered to answer any questions.

### ADJOURN

There being no further discussion, Mayor Winters adjourned the work session of November 3, 2010, at 6:40 p.m.