

JOURNAL OF COMMISSION WORK SESSION
September 1, 2009

City Commission Work Session

Mayor Pro Tempore Bill Bronson presiding

CALL TO ORDER: 5:45 p.m.

ROLL CALL: City Commissioners present: Bill Bronson, John Rosenbaum, Bill Beecher and Mary Jolley. Also present were the City Manager, Assistant City Manager, Acting City Attorney, Directors of Fiscal Services, Park and Recreation, Community Development and Public Works, the Acting Library Director, Police Chief, Fire Chief and the City Clerk.

1. COPS GRANT

Police Chief Cloyd Grove provided an overview and PowerPoint presentation of the COPS grant. Chief Grove reported that a while back the GFPD applied for a community oriented policing services (COPS) grant. The timing coincided with the mill levy. The RFP came out in March. The goal was if the levy passed and the grant was approved, then the amount of the levy could be reduced the first year. In April the grant application was completed and City Manager Doyon gave permission to proceed with the grant in the amount of \$837,000, enough to cover four officers for three years. That grant response has to be done within 90 days of receipt of the package. Therefore, there is 60 days remaining to accept or decline the grant.

Chief Grove explained that community policing officers look at building community partnerships, problem solving and organizational transformation. The potential impact and services to the Great Falls community would be: Housing Authority, Community Education Officers, Special Projects, Neighborhood problems and council meetings, and law related education.

The three year grant covers four officers. Going into the fourth year, the City has to pick up the salaries of the officers. The upfront cost will be about \$9,000 per officer, or \$36,000 the first year for hiring, training and gear costs. The grant doesn't pay any overtime. However, he finds that the newer officers don't have a lot of overtime. He would be able to handle the minimal overtime in the budget. There is also reporting requirements every three months that continues through the fourth year. The reporting requirement then continues for two more years, although the officers don't have to be retained in these particular positions.

The \$837,148 grant includes salaries, benefits and an increase in salary the second year when they are advanced to senior police officers. So, for three years, their entire salaries are paid for with the grant. The Great Falls Housing Authority will fund one officer position the fourth year. That leaves \$225,401 for the City to come up with at the end of the third year. He discussed ways for the Department to plan for that by starting to look at the budget now, and to start planning knowing that the City will have to cover the four positions in the fourth year.

Chief Grove stated that he will have to look at absorbing those positions through attrition in the Department. That is an option, albeit risky. Also, he can look at other grant possibilities to staff

other positions. The drawback to that is that most of the federal government grants coming into law enforcement for personnel are COPS grants.

Chief Grove asked if there were any questions.

Commissioner Jolley commented that there may be times when an officer may leave between reporting time periods. Chief Grove explained that if one of the senior officers decided to leave, then someone would be moved out of patrol to fill that position because it has to be staffed for the grant. Then the Department would hire someone back for the patrol position. That patrol position would take approximately 2-3 months to fill. He further explained that a senior officer is needed in these positions, and not an officer that is new to the business.

Chief Grove reported that he believes he should be able to come up with the \$36,000 up front money to hire the officers out of the Police Department budget. He truly feels the community oriented policing effort needs to be kept up to work on the root problems of crime and try to keep things out of the community. Today's law enforcement requires work to be on a proactive basis to look and study what is happening in the community to be able to eliminate those issues that are causing problems within the city.

Commissioner Beecher inquired if these officers would be available for back up and was responded to affirmatively. The Department can also call the housing officer out for a short period of time.

Commissioner Rosenbaum inquired if the Department intended to hire back all four positions. Chief Grove responded that four officers would move into those positions, and the Department would hire four new officers to take care of community policing and back fill. Commissioner Rosenbaum inquired about the fifth year. Chief Grove responded, if the Department pays for the fourth year, then the fifth year the Department could use the attrition method, budget for them or seek additional funding.

City Manager Doyon informed the Commissioners that this will be brought back before the Commission for formal action at the next meeting. He asked them to keep in mind sustainability and the types of policing they would want the Department to do.

2. SOCIAL HOST ORDINANCE

Acting City Attorney Chad Parker discussed the highlighted changes in the proposed Ordinance. When this Ordinance was tabled, there were concerns to address. It gave him an opportunity to go back and talk with representatives of the Landlord's Association. It was a fruitful meeting. Mr. Parker reviewed the language under definitions that was added. He wanted to make certain people knew the Ordinance wasn't to target landowners or parents who do not have knowledge. The Landlord Association was not concerned with any other language in the Ordinance. He also wanted to make certain everyone knew the prohibited acts were restricted to within the City limits, and the penalties changed. Jail time for a first offense was stricken, and a fine and court costs shall be imposed. For a second or subsequent offense, then jail time will be imposed. He, as well as the Landlord Association, believes the "knowingly or reasonably should have known"

language has been addressed as clearly as it can be.

Commissioner Rosenbaum asked Mr. Parker to reiterate why the language in the current law, Endangering the Welfare of a Minor, can't be fixed without applying another law. Mr. Parker responded there are two issues with Endangering the Welfare statute. Primarily, there is an evidentiary requirement of having to hand the alcohol over to a child, or didn't live up to a duty that they are held to by law. That is evidence that they rarely every have. Also, that statute only applies to persons up to age 18. There is a three year gap between 18 and 21. With regard to the other statutes, they aren't being charged because the evidence isn't there. Mr. Parker discussed how the legislature looks at individual communities to see where the law is moving before they take that act to the state level. It requires individuals with knowledge to lobby at the legislature for change.

Commissioner Jolley asked Mr. Parker if he received her email with the changes she proposed and was responded to affirmatively. Commissioner Jolley discussed the bill introduced at the State level that was tabled. She wanted the "gathering" definition from that bill added to the Great Falls Ordinance. She also wanted it made clear that the term "host" does not include a host providing alcoholic beverages in a non-intoxicating manner. Additionally, if the target is 18-21 year olds, she suggested that the "social host" definition specify 18-21 year olds. Commissioner Jolley also point out that she doesn't believe we should be taking away the judge's judgment on whether to jail someone or not. We do have very crowded jails. Judge Luth is elected to decide these things. Mr. Parker stated that the only mandatory provision is if there was someone 16 years of age or younger. Commissioner Jolley would like to leave that up to the judge to decide, after the circumstances have been heard by her. Mr. Parker responded that mandatory jail is only on a second offense, and if a person 16 years of age or younger was at the party.

Mr. Parker further explained the jurisdictional limits within the courts. Anyone under the age of 18 years charged with a criminal offense, including ordinance violations, appears before justice court. If the person is 18 years of age or older and charged with an ordinance violation, then they would appear in city court if it was specifically stated that way.

Commissioner Rosenbaum asked who keeps track of the MIP's, and is the military included in those numbers. Mr. Parker answered that Officer Steve Pre'tat was the EUDL coordinator for the youth grant that tracks everyone on the base. MIP's that occur on the base are prosecuted on the base. The numbers are also tracked on the full court system.

ADJOURN

There being no further discussion, Mayor Pro Tempore Bronson adjourned the work session of September 1, 2009, at 6:26 p.m.