

JOURNAL OF COMMISSION PROCEEDINGS
August 6, 2019

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Bill Bronson, Owen Robinson, Tracy Houck, and Mary Sheehy Moe. Also present were the City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Public Works Director Jim Rearden; Planner III Erin Borland; Library Director Susie McIntyre; Park and Recreation Director Steve Herrig; Budget Analyst Kirsten Myre; Human Resources Director Gaye McInerney; Assistant City Attorney Joe Cik; and, Police Chief Dave Bowen.

AGENDA APPROVAL: City Manager Greg Doyon reported that the public hearing notice was not sent to the Tribune for Agenda Item 26 - Resolution 10311 Revising the GFFR Fee Schedule. Therefore, the requested Commission action for Item 26 will be to vacate the public hearing and reset the public hearing on Resolution 10311 for August 20, 2019.

There were no proposed changes to the Agenda by the Commission. The City Commission approved the Agenda as amended.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

PETITIONS AND COMMUNICATIONS

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Daniel Hartzel, 609 Central Avenue, discussed his proposal for a drum and bugle corps for high schools.

John Hubbard, 615 7th Avenue South, spoke in opposition to the property tax increase and the permissive medical levy adopted at the last Commission meeting.

At the request of **Shyla Patera**, 1013 7th Avenue NW, City Clerk Lisa Kunz read her comments requesting that the Commission consider accessibility in all of the agenda items, approve Agenda Items 31 and 20, and she noted the need for wayfinding and sensory spaces in Great Falls.

NEIGHBORHOOD COUNCILS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

None.

BOARDS & COMMISSIONS

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3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

None.

4. APPOINTMENT TO THE AUDIT COMMITTEE.

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission appoint Jennifer Malich to the Audit Committee to fill a private citizen position for a three-year term through June 30, 2021.

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 MANAGER

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported on the following:

- The Great Falls Animal Shelter will be closed on August 15th to participate in a national Clear the Shelter event on August 17th.
- Public Works staff helped the public with brush clearing, as well as assisted an elderly resident.
- The high wind event several weeks ago damaged seven boulevard trees, five trees in parks, and there were 250 downed limbs and 47 partially broken limbs, at a cost of approximately \$25,000 for cleanup.
- A notice went out to the community that Water Tower and Jaycee pools will close for the season due to a shortage of lifeguards.
- The Great Falls Public Library sponsored its first fun run on August 3rd that raised \$3,200 to pay off library fines for kids that have overdue books so that they could continue to access library materials.
- Two City sanitation workers were injured today from exploding propane tanks that were placed in a demolition dumpster. He encouraged citizens to appropriately dispose of propane canisters by having a company empty the container and remove the stem, and then recycle the metal.

Public Works Director Jim Rearden announced that the new water main crossing installations under the Missouri River and Sun River project is underway. The first road closure will begin August 12th for approximately two weeks on Fox Farm Road adjacent to Meadowlark Park. Detours will be in place throughout the project.

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CONSENT AGENDA.

6. Minutes, July 16, 2019, Commission meeting.
7. Total Expenditures of \$4,811,230 for the period of June 28, 2019 through July 24, 2019, to include claims over \$5000, in the amount of \$4,455,290.
8. Contracts List.
9. Approve the acceptance of the Montana Land Information Act (MLIA) grant funds in the amount of \$13,375, and approve the Montana State Library Agreement, to be used for GIS data preparation for Next Generation 9-1-1.
10. Approve the Montana Department of Administration 9-1-1 Grant in the amount of \$246,967.00 to be used to purchase call taking and processing equipment, and authorize the City Manager to sign the contract.
11. Approve the Cartegraph Purchase Agreement in the total amount of \$183,825.00, approve the addendum to Cartegraph Solutions Agreement and authorize the City Manager to execute the purchase.
12. Approve extending the Fuel Delivery Service Agreement with Mountain View Co-op for an additional three years for the period of September 2019-2022, at an annual cost of approximately \$808,903.00. (CR 090616.11)
13. Approve the purchase in the amount of \$13,000.00 for an easement not to exceed 20-foot wide for a City of Great Falls water main easement which will be a minimum of 50 feet below the surface on property owned by Meadow Lark Country Club. **OF 1494.6**
14. Approve a construction agreement for the Library Air Handler Replacement Project to McKinstry Essention, LLC in the amount of \$315,000 and authorize the City Manager to execute the agreement.
OF 1621.2
15. Award a contract in the amount of \$602,000.00 to James Talcott Construction, Inc. for the Public Works Facilities Improvements Siding and Windows project, and authorize the City Manager to execute the construction contract documents. **OF 1733.5**
16. Approve a Change Order No. 1 in the amount of \$69,052.00 to EJ Carpentry, LLC for the Public Works Facility Improvements - Central Garage, Streets and Sanitation Buildings project and authorize the City Manager to execute the change order. **OF 1733**
17. Approve the 2019-2020 School Resource Officer Agreement between the City of Great Falls and the Great Falls Public Schools District.

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18. Approve Change Order No. 1 in the amount of \$55,832.44 to Wadsworth Builders for the Electric City Water Park Bath House Restoration and Remodel project, and authorize the City Manager to execute the change order. **OF 1740.1**
19. Approve Change Order No. 1 in the amount of \$20,400.00 to Kuglin Construction for the 2019 CDBG ADA Handicap Ramp and Sidewalk project, and authorize the City Manager to execute the change order. **OF 1715.4**

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the Consent Agenda as presented.

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

Commissioner Robinson noted that the School Resource Officer agreement between the Great Falls Police Department and the Great Falls School District has been in place for 20 years.

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

Motion carried 5-0.

PUBLIC HEARINGS

20. **SALE OF APPROXIMATELY 152 SQUARE FEET OF PROPERTY LOCATED AT 731 6TH STREET NW (FIRE STATION #2 PROPERTY) IN THE AMOUNT OF \$2,200 TO THE MONTANA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY PURPOSES.**

Assistant City Attorney Joe Cik reported that the Montana Department of Transportation has requested to purchase a small portion of the property described as a portion of Mark XF in the NE1/4 SW1/4, Section 2, Township 20 North, Range 3 East, located at 731 6th Street NW (Fire Station #2) at the southeast corner of 6th Street NW and the Northwest Bypass to accommodate right-of-way needs relating to an intersection improvement project at the corner of 6th Street Northwest and the Northwest Bypass.

The Montana Department of Transportation is designing a safety-related project at the corner of 6th Street NW and the Northwest Bypass. The project will modify the left turn offsets on the Northwest Bypass, with striping and curb removal to reduce the chance for left-turn, opposite-direction crashes. Along with this, the corner ADA ramps and traffic signals will be upgraded to current standards.

To safely construct a project to current standards, the Montana Department of Transportation requires additional right-of-way to accommodate the necessary improvements. In this instance, a small portion of the subject property is needed to allow for installation of compliant facilities for citizens with disabilities (an ADA ramp) at the southeast corner of 6th Street NW and the Northwest Bypass, adjacent to Fire Station #2.

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The sale of the property will result in a payment of \$2,200 to the City of Great Falls.

Mayor Kelly declared the public hearing open. He asked if the public or Commissioners had any questions of staff. No one responded.

No one spoke in support of or in opposition to the sale of approximately 152 square feet of property located at 731 6th Street NW (Fire Station #2 property) to the Montana Department of Transportation for right-of-way purposes.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Robinson moved, seconded by Commissioner Bronson, that the City Commission approve the sale of approximately 152 square feet of City owned property located at 731 6th Street NW in the amount of \$2,200 to the Montana Department of Transportation for right-of-way purposes.

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

Commissioner Houck noted that she is looking forward to the improvements to increase pedestrian safety.

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

Motion carried 5-0.

21. RESOLUTION 10305 TO LEVY AND ASSESS THE STREET MAINTENANCE DISTRICT.

Budget Analyst Kirsten Myre reported that the Street Division maintains approximately 383 miles of streets and alleys within the City limits. Maintenance consists of pavement rehabilitation and restoration, street cleaning, snow and ice removal, alley maintenance, and the nuisance weed program. In addition, the Traffic Operations Division is responsible for the maintenance of all roadway signs, signals and pavement markings.

For Fiscal Year 2020, the Street Maintenance Assessment will remain the same as Fiscal Year 2019. The total estimated assessment for the District is \$4,574,139, and will result in an annual assessment of \$110.70 for an average size lot of 7,500 square feet.

Mayor Kelly declared the public hearing open. He asked if the public or Commissioners had any questions of staff. No one responded.

Speaking in support of Resolution 10305 was **John Hubbard**, 615 7th Avenue South. Mr. Hubbard noted he is a proponent of no increase of any kind on taxes.

No one spoke in opposition to Resolution 10305.

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Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Houck moved, seconded by Commissioner Moe, that the City Commission adopt Resolution 10305.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

22. RESOLUTION 10306 TO LEVY AND ASSESS THE GENERAL BOULEVARD MAINTENANCE DISTRICT NO. 3570.

Budget Analyst Kirsten Myre reported that the Park and Recreation Department, Natural Resources – Boulevard Division is responsible for the care and maintenance of over 15,000 street trees located within the General Boulevard District. Services provided within the District are pruning, removal, planting, and streetscape design.

After calculating all factors pertinent to the operation of the Natural Resources – Boulevard Division, a 5% increase is being proposed to cover increased costs of operations.

The estimated assessment amount for the General Boulevard Maintenance District for the next fiscal year is \$405,892, and will result in an approximate assessment of \$85.75 for an average size lot of 7,500 square feet.

Mayor Kelly declared the public hearing open. He asked if the public or Commissioners had any questions of staff.

Commissioner Moe inquired if staff was expecting that the costs would continue to increase every year requiring adjustments in the assessments, and was responded to in the affirmative.

Speaking in opposition to Resolution 10306 was **John Hubbard**, 615 7th Avenue South. Mr. Hubbard expressed his opposition, noting that most of the leaves are still on his trees and not on the ground.

No one spoke in support of Resolution 10306.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10306.

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

Hearing none, Mayor Kelly called for the vote.

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Motion carried 5-0.

23. RESOLUTION 10307 TO LEVY AND ASSESS THE PORTAGE MEADOWS MAINTENANCE DISTRICT NO. 1195.

Budget Analyst Kirsten Myre reported that the Special Improvement Maintenance District 1195 is for the purpose of maintaining the Green Belt of the Portage Meadows Addition. The assessment covers the costs of materials, snow removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning, which was part of the original Planned Unit Development.

After calculating all factors pertinent to the operation of the Portage Meadows Maintenance District, a 5% increase is being proposed to cover increased costs of operation.

The estimated assessment amount for the Portage Meadows Maintenance District No. 1135 for the next fiscal year is \$65,252, and will result in an annual assessment of approximately \$348.91 for an average lot of 4,501 square feet.

Mayor Kelly declared the public hearing open. He asked if the public or Commissioners had any questions of staff.

No one spoke in support of Resolution 10307.

Speaking in opposition to Resolution 10307 was **John Hubbard**, 615 7th Avenue South. Mr. Hubbard expressed opposition to any assessment increases, and he noted that he does not reside within the district, but has friends that do.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10307.

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

Commissioner Houck commented that the assessment includes labor for snow removal within the park area. The district includes a beautiful green space with a gazebo, playground equipment and a little library.

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

Motion carried 5-0.

24. RESOLUTION 10308 TO LEVY AND ASSESS GREAT FALLS PARK DISTRICT NO. 1.

Budget Analyst Kirsten Myre reported that, on June 5, 2018, the City Commission adopted Resolution 10238 creating the Great Falls Park District Number 1. The boundaries of the District are the current incorporated limits of the City, as well as all properties later annexed thereto.

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The Park District's overall purpose is to utilize assessment dollars and direct those monies to:

- Maintenance, repair, replacement, upkeep, installation, improvements, operation enhancement, construction, acquisition of land;
- Implementation of measures required to maintain public health and safety or meet legal or regulatory requirements;
- Purchase, replace and/or maintain equipment, tools or vehicles used to carry out the functions described herein; and/or
- Other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands, and equipment under the responsibility and care of the City of Great Falls Park and Recreation Department including but not limited to:
 - Public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements, and other facilities which are located in the city limits and/or are owned by the City.

The Park District's revenue may not be used for programming.

The cost of the proposed improvements for the Great Falls Park District No. 1 is \$1,500,000 annually for the first three years. The annual assessment is based on the taxable value of each parcel within the District for a total of \$1,500,000 district-wide.

The City will not receive current taxable value information from the Montana Department of Revenue until sometime in August. Therefore, based on last year's valuations, the estimated annual assessment for a \$100,000 market value property would be \$27.42.

Mayor Kelly declared the public hearing open. He asked if anyone had any questions for staff. No one responded.

No one spoke in support of Resolution 10308.

Speaking in opposition to Resolution 10308 was **John Hubbard**, 615 7th Avenue South. Mr. Hubbard commented that people need two or three jobs to make it, and that he does not appreciate tax hikes.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Robinson moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10308.

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

Commissioner Houck clarified that this item is not a request for a tax hike, but for the same assessment as last year.

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

Motion carried 5-0.

25. RESOLUTION 10309 TO LEVY AND ASSESS PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICTS.

Budget Analyst Kirsten Myre reported that there are currently 27 Special Improvement Lighting Districts (SLD's) with approximately 9,429 roadway lights. The majority (97%) of the roadway lights are owned by NorthWestern Energy. The City pays a maintenance fee to NorthWestern Energy for these lights in addition to a fee, which covers the electrical transmission and distribution. The remaining 3% of roadway lights are City-owned.

The estimated assessment amount for the Special Improvement Lighting District Funds for the next fiscal year is \$1,170,052. The total assessment amount reflects a 0.5% increase from the prior fiscal year due to increased maintenance and replacements costs.

Mayor Kelly declared the public hearing open. He asked if there were any questions of staff. No one responded.

No one spoke in support of Resolution 10309.

Speaking in opposition to Resolution 10309 was **John Hubbard**, 615 7th Avenue South. Mr. Hubbard again expressed opposition to any assessment increases.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Resolution 10309.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

26. RESOLUTION 10311, TO REVISE THE FEE SCHEDULE FOR GREAT FALLS FIRE RESCUE SUPERCEDING RESOLUTION 10070.

Mayor Kelly reiterated that, due to the public hearing notice not being sent to the *Tribune* for proper advertising, the requested action is that the Commission vacate this public hearing and reset the public hearing for August 20, 2019.

Commissioner Robinson moved, seconded by Commissioner Bronson, that the City Commission vacate the public hearing and reset the public hearing on Resolution 10311 for August 20, 2019.

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

Commissioner Moe noted that the last resolution number voted on was 10309 and this item is 10311. She inquired what happened to 10310.

City Clerk Lisa Kunz responded that, at the request of staff, the Clerk issues a resolution number. It depends on the timing of when staff finalizes their item to present to the Commission when it gets placed on an agenda, and it may not necessarily be in sequential order.

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

Motion carried 5-0.

27. ORDINANCE 3206 TO REZONE A PORTION OF LOTS 4A AND 6-9 OF RIVERVIEW TRACTS ADDITION, AND TO AMEND ORDINANCE 3104 TO INCLUDE SAID PROPERTY WITHIN THE BOUNDARIES OF A PLANNED UNIT DEVELOPMENT (PUD) IN CONJUNCTION WITH AN AMENDED PLAT TO AGGREGATE AND BOUNDARY LINE ADJUST THE VARIOUS PARCELS.

Planning and Community Development Planner III Erin Borland reported that the Margaret E. Heisler Trust is proposing to aggregate Lots 6-9 of the Riverview Tracts Addition, and to acquire and reconfigure adjacent property owned by Montana Refining Company, Inc., to eventually create a single lot that can be marketed for sale. Due to the number of lots that are proposed to be reconfigured, the local government is required to review the amended plat. Because the Heisler Trust property is zoned C-2 General Commercial, and the Montana Refining Company property is zoned PUD Planned Unit Development, the proposed acquisition of property through a boundary adjustment requires a change in zoning to make sure the zoning and property line boundaries match the new property configuration.

At the time Montana Refining Company, Inc. received PUD zoning for its property adjoining the Heisler Trust site, a development agreement requiring future improvements to the property was required. The terms of this past agreement will also carry forward to the newly configured property zoned PUD. City staff has revised the existing agreement for the PUD to accommodate the minor addition of land. The requirements of the original agreement, which must be implemented during future building construction, have not changed in any way with this revision.

Based on the proposal, seven parcels will be affected by the aggregation and boundary line adjustment. The proposed plat requires Planning Advisory Board and City Commission review due to the following language contained in Mont. Code Ann. § 76-3-207 (2) (a): Within a platted subdivision filed with the county clerk and recorder, a division, redesign, or rearrangement of lots that results in an increase in the number of lots or that redesigns or rearranges six or more lots must be reviewed and approved by the governing body before an amended plat may be filed with the county clerk and recorder.

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Mayor Kelly declared the public hearing open. He asked if the applicant was present and wished to speak.

Representing Calumet Montana Refining, LLC, **Jason Holden**, 1314 Central Avenue, commented that City staff has been exceptional to work with. The Revised Development Agreement has been signed and does not change anything as far as development. He requested Commission approval.

Mayor Kelly asked if the public had any questions of staff or applicant's representative. No one responded.

No one spoke in support of or in opposition to Ordinance 3206, the Revised Improvement Agreement, the Amended Plat, or amending Ordinance 3014 to include said property within the boundaries of the PUD.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Bronson moved, seconded by Commissioner Moe, that the City Commission adopt Ordinance 3206, the Revised Improvement Agreement, and the Basis of Decision/Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

Commissioner Bronson moved, seconded by Commissioner Moe, that the City Commission approve the Amended Plat to aggregate and boundary line adjust the various parcels and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

28. LABOR AGREEMENT BETWEEN CITY OF GREAT FALLS AND GREAT FALLS POLICE PROTECTIVE ASSOCIATION (GFPPA).

Human Resources Director Gaye McInerney reported that staff recommends that the City Commission approve the labor agreement between the City of Great Falls and the Great Falls Police Protective Association (GFPPA) which consists of 76 sworn employees at the Police Department.

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Members of the negotiating teams worked to update basic contractual language in order to make the Agreement clearer, more understandable, and consistent. This included grammatical corrections, updating wording to reflect current terminology, and referencing applicable articles throughout the agreement.

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

Article 1.1 – Association: Captains and the Chief of Police are excluded from the Association.

Article 1.11 – Work Week: The work week was clarified to begin on Sunday at 12:00 midnight and end on Saturday at 11:59 p.m.

Article 5.3 – Representation Fee: The Agreement was updated by the Union to comply with the *Janus* decision of June 2018.

Article 7.1 – Hours of Duty: Stand-by time was increased from four (4) to five (5) hours at regular hourly rate for every twenty-four (24) hours an employee is on Stand-by.

Article 7.2 – Work Schedule: The six-month piloted 10:40 shift schedule was bargained into the agreement as an additional work schedule. This includes adjustments for the new shift schedule in earning of Overtime (Article 8) and Working on Holidays (Article 10.2).

Article 8.1 – Overtime: Clarification in earning overtime for Call Backs/Call Outs was made as follows:

e. Call Back:

- i. **Extension of Shift:** In the event an employee is required to return to work within one half (½) hour of the end of their shift to complete work that should have been done prior to leaving work, will be compensated as an extension of the regular shift at the rate of time and one-half (1½) for all hours worked in excess of a regularly schedule work shift.
- ii. **Call Out:** An employee called out to work, not as an extension of the regular shift, shall be credited with a minimum of four (4) hours as straight time, or time and one-half for actual hours worked, whichever is greater. Call out does not include scheduled work such as court and meetings that the employee has advanced notice of, and which occurs one (1) hour or less either before or after the regular shift.
- iii. In the event an employee is called to work while on pre-approved scheduled vacation/annual leave, the employee will be credited back their unused vacation/annual leave as a result of being called out during their normal shift and will be paid at a rate of time and one-half (1½) for actual hours worked.

Article 8.3 – Court Appearance: Added the paragraph:

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In the event the employee, who is currently on night shift rotation, is required to appear before any judicial or administrative body, the employee shall be paid for a minimum of six (6) hours at the straight time rate.

Article 9.1 – Salaries: The CBA term is two years from July 1, 2019 through June 30, 2021 with a 2.75 percent COLA increase on July 1st of each year.

Article 9.6 – Investigative Pay: All sworn employees in the Investigative Services Bureau for longer than six (6) months, will receive an additional \$25.00 per month in pay.

Article 17.2 – Medical Insurance: MMIA raised the health insurance premiums for the City of Great Falls by 10.6 percent. This resulted in a 10 percent increase to the employee premiums. The City still maintains the 90/10 percent cost sharing with the City paying 90 percent and the employee paying 10 percent of the health premiums.

	7/1/19			
	A	B	C	
Coverage	City Contribution added to base	Additional City Contribution not in base	Employee Contribution	Incremental Increase Over 2018 Rates
Employee (EE)	\$783		\$ 54.60	\$ 4.96
EE & Child(ren)	\$783	\$ 432.23	\$135.03	\$ 12.30
EE & Spouse	\$783	\$ 596.70	\$153.30	\$ 90.65
EE & Family	\$783	\$1,127.12	\$212.24	\$125.42

Article 22 – Physical and Mental Examinations: The City, with just cause or reasonable basis, may request a mental or physical examination to determine job fitness, which will be provided to the employee by a medical provider at no cost to the employee.

The financial impact of a 2.75 percent COLA increase for each year of the two-year contract is approximately \$289,310.

The GFPPA members voted to ratify the contract language in July 2019.

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission approve the labor agreement between the City of Great Falls and the Great Falls Police Protective Association (GFPPA).

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

Kim Rodriguez, 821 29th Avenue NE, commented that she agrees with any increase for public safety and for the Police Department to get more coverage on the streets.

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Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

29. LABOR AGREEMENT BETWEEN CITY OF GREAT FALLS AND MONTANA FEDERATION OF PUBLIC EMPLOYEES (MFPE) LOCAL #7796.

Human Resources Director Gaye McInerney reported that staff recommends that the City Commission approve the labor agreement between the City of Great Falls and the Montana Federation of Public Employees Local #7796.

Members of the negotiating teams worked to update basic contractual language in order to make the Agreement clearer, more understandable, consistent and to reflect the name change of the Union. This included grammatical corrections, updating wording to reflect current terminology, and referencing applicable articles throughout the agreement.

The City was approached in June 2018 by the members of the Emergency Communications Center (formerly known as Dispatch) requesting the right to bargain separately for their specific community of interests. The City agreed to do so and bargained wages separately for the Emergency Communications Center.

Language specific to Emergency Services was moved to Addendum C.

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

Article 1 – Recognition: The list of positions was reviewed in detail with the deletion of the following positions:

- Administrative Secretary off Lab Assistant
- Emergency Services Dispatcher
- Emergency Services Dispatcher, Senior
- HIDTA Information Tech, Senior
- Park and Recreation Account Clerk, Senior
- Staff Accountant (non-degreed)
- Process Server, Senior

Positions added to the list include:

- Court Clerk, Senior
- Courtroom Clerk, Senior
- Property Research Technician
- Public Safety Communications Officer

Article 8 – Association Security: The Agreement was updated by the Union to comply with the *Janus* decision of June 2018.

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Article 14, Section G – Vacations: Leave during Holiday periods will be granted on a yearly rotation beginning with the most senior employee. If an employee requests and is granted leave during a Holiday period, the following year, that Holiday will be available to the next most senior employee and the more senior employee who received the leave will be moved to the back of the rotation. That employee will not be eligible to take the Holiday leave unless all other employees in that division have not requested that time off.

Article 19, Section 2 – Pay and Hours: The normal work week was clarified as Sunday 12:00 a.m. to Saturday 11:59 p.m.

Article 21, Section 3 -- Overtime: The Union conceded annual leave does not constitute time worked when computing overtime. Only authorized holiday leave or compensatory time shall constitute time worked when computing overtime.

Article 27 – Health Insurance: MMIA raised the health insurance premiums for the City of Great Falls by 10.6 percent. This resulted in a 10 percent increase to the employee premiums. The City still maintains the 90/10 percent cost sharing with the City paying 90 percent and the employee paying 10 percent of the health premiums.

	7/1/19			
	A	B	C	
Coverage	City Contribution added to base	Additional City Contribution not in base	Employee Contribution	Incremental Increase Over 2018 Rates
Employee (EE)	\$783		\$ 54.60	\$ 4.96
EE & Child(ren)	\$783	\$ 432.23	\$135.03	\$ 12.30
EE & Spouse	\$783	\$ 596.70	\$153.30	\$ 90.65
EE & Family	\$783	\$1,127.12	\$212.24	\$125.42

Article 28 – Miscellaneous: An annual clothing allotment of \$100, to be applied toward approved uniforms will be provided for civilian employees of the Police Department. The clothing allotment is provided as an amount for employees to use toward ordering approved apparel and is not paid out to the employee. The program is administered through the office of the Chief of Police and designated representative.

Letters Of Understanding: Removed expired LOU's.

Addendum B: Updated the salary schedule to reflect current grades and increases under the terms of the Agreement for general MFPE members and the Emergency Communications Center members.

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The financial impact of a 2.5 percent COLA increase in Year 1 and a 2.75 percent COLA increase in Year 2 for general MFPE members and a 2.75 percent COLA for each year of the contract for Emergency Communications Center members is approximately \$170,366.

The MFPE members voted to ratify the contract language in July 2019.

Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission approve the labor agreement between the City of Great Falls and the Montana Federation of Public Employees (MFPE) Local #7796.

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 commented that, as a member of the Montana Federation of Public Employees, she will be recusing herself from voting on this item.

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

Motion carried 4-0-1 (Commissioner Moe abstaining).

30. LABOR AGREEMENT BETWEEN CITY OF GREAT FALLS AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL #233.

Human Resources Director Gaye McInerney reported that staff recommends that the City Commission approve the labor agreement between the City of Great Falls and the International Brotherhood of Electrical Workers (IBEW) Local #233.

Members of the negotiating teams worked to update basic contractual language in order to make the Agreement clearer, more understandable, and consistent. This included grammatical corrections, updating wording to reflect current terminology, and referencing applicable articles throughout the Agreement.

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

Article 1 – Recognition and Purpose: Language was clarified regarding the Water Plant Operator position grandfathered under this Agreement.

Article 4 -- Definitions: Added item F which defines the work week as Sunday 12:00 a.m. to Saturday 11:59 p.m.

Article 8, Section 8.3 – Employee Rights/Grievance: The following sentence was added: At any stage of the grievance process, the UNION, employee and/or the CITY may attempt to mutually settle or resolve the grievance.

Article 23-- Meal: The meal reimbursement amount was increased to \$15.00 per meal.

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Schedule A – Wages: Adjusted to reflect a 2.75 percent COLA increase for each year of the contract.

Schedule B(3) – Health Insurance: MMIA raised the health insurance premiums for the City of Great Falls by 10.6 percent. This resulted in a 10 percent increase to the employee premiums. The City still maintains the 90/10 percent cost sharing with the City paying 90 percent and the employee paying 10 percent of the health premiums.

	7/1/19			
	A	B	C	
Coverage	City Contribution added to base	Additional City Contribution not in base	Employee Contribution	Incremental Increase Over 2018 Rates
Employee (EE)	\$783		\$ 54.60	\$ 4.96
EE & Child(ren)	\$783	\$ 432.23	\$135.03	\$ 12.30
EE & Spouse	\$783	\$ 596.70	\$153.30	\$ 90.65
EE & Family	\$783	\$1,127.12	\$212.24	\$125.42

The financial impact of a 2.75 percent COLA increase each year of the two-year contract is approximately \$21,000.

The IBEW members voted to ratify the contract language in July 2019.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission approve the labor agreement between the City of Great Falls and the International Brotherhood of Electrical Workers (IBEW) Local #233.

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

Commissioner Houck commented that the CBA's are on two-year cycles and inquired if there was ever discussion to stagger negotiations of the CBA's.

Director McInerney commented that in her first cycle and learning about the CBA's, she was teeing things up to have discussions specifically along the lines of the insurance. This year each union elected to do a two-year term. But the unions could request something longer that the City would consider.

Manager Doyon added that, depending on the team that is negotiating on behalf of the CBA, there is always trepidation about the health insurance. It is easier to have a longer agreement and to stagger them, but when there is some measure of uncertainty then there is less comfort in doing that. It will be interesting when negotiations begin in a year and a half to know what the economic

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condition of the City is, where the market is for the positions that are being collectively bargained, and where the City is at with health insurance.

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

Motion carried 5-0.

31. 2018 LONG RANGE TRANSPORTATION PLAN – MINOR AMENDMENT #1 (CR 082118.14).

Planning and Community Development Planner III Erin Borland reported that the Long Range Transportation Plan (LRTP) for the Great Falls area was last updated in 2018. Because the Plan covers the Great Falls Metropolitan Area, which includes the City of Great Falls and surrounding area, the LRTP and any amendment must be adopted by both the City and County Commissions.

The LRTP occasionally requires amending - usually to ensure compliance with Federal or State of Montana procedures, processes or regulations. To ensure the LRTP is compliant, an amendment is being proposed to shift a project priority and to add a Transit-related Performance Measure.

The minor amendment being proposed for City Commission adoption has been approved by the Technical Advisory Committee, Great Falls Planning Advisory Board, and the County Commission. The amendment includes the Watson Coulee Road reconstruction project, and incorporates the State of Good Repair measure into the 2018 LRTP.

Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission approve Amendment #1 to the 2018 Great Falls Area Long Range Transportation Plan.

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

Motion carried 5-0.

32. ORDINANCE 3207, TO ESTABLISH AI AIRPORT INDUSTRIAL ZONING FOR THE PROPERTIES IDENTIFIED AS TRACT 1 AND TRACT 2 OF CERTIFICATE OF SURVEY #5142, A TRACT OF LAND EQUALING +/- 2.775 ACRES, LOCATED IN SECTION 21, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA.

Planning and Community Development Planner III Erin Borland reported that the applicant, Love's Travel Stops and Country Stores, is requesting annexation and establishment of zoning in order to develop the subject properties as well as two additional properties owned by the Great Falls International Airport Authority for a Love's Travel Stop and Country Store. This project will include a truck stop, convenience store, and possibly two fast food restaurants. The properties proposed for annexation and establishment of zoning are legally described as Tract 1 of Certificate of Survey #5142 and Tract 2 of Certificate of Survey #5142, and total 2.775 acres in size.

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The subject properties are outside the City limits and are bordered to the northwest by lots that are within the City limits. The applicant requires annexation because the future development of the Love's project cannot cross jurisdictional lines.

Water, sewer, and storm drain services are currently within or near the two Airport-owned parcels that are within the City limits. Water services will not be needed for the two lots that are to be annexed. However, a public water main will need to be extended to service the development site. An existing sanitary sewer main that crosses the two parcels to be annexed will need to be re-routed to accommodate the construction of the development.

The two subject properties to be annexed are proposed to have an AI Airport Industrial zoning designation assigned to them. This zoning designation was selected by staff for two reasons: 1) the proposed uses related to the pending Love's project are permitted in this zoning district, and 2) the proposed zoning district matches the designation of all of the adjoining property owned by the Airport Authority.

Commissioner Robinson moved, seconded by Commissioner Bronson, that the City Commission accept Ordinance 3207 on first reading and set a public hearing for September 3, 2019.

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

Motion carried 5-0.

33. **RESOLUTION 10315, REQUESTING DISTRIBUTION OF BARSAA FUNDS IN THE AMOUNT OF \$764,381.03.**

Public Works Director Jim Rearden reported that this will be the second request for Bridge and Road Safety and Accountability Act (BaRSAA) program funds. The first distribution of funds in the amount of \$360,411.42 was utilized for Phase I of the Encino Drive project.

The intended use for this year's funding request is to reconstruct the streets, curb to curb, during water main replacements on the lower north side. The proposed project will be between Park Drive and 7th Street, on 5th and 6th Avenues North, for a total of about seven blocks. The project will be ready for construction next spring.

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10315 and authorize the Public Works Director or his designee to request distribution in the amount of \$764,381.03 from the Bridge and Road Safety and Accountability Act (BaRSAA) program funds.

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

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Commissioner Bronson commented that this is an example of a State imposed sales tax on the sale of gas which, because that money is now available to the cities, towns and counties, the City is now able to undertake these kinds of necessary public works projects without increasing assessments or taxes on its citizens.

Mayor Kelly noted that the City's match is 5%.

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

Motion carried 5-0.

CITY COMMISSION

34. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Moe announced that she may not be in attendance at the August 20th meetings.

35. COMMISSION INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Houck moved, seconded by Commissioner Moe, to adjourn the regular meeting of August 6, 2019, at 8:16 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: August 20, 2019