

JOURNAL OF CITY COMMISSION WORK SESSION
July 20, 2021

City Commission Work Session
Civic Center Gibson Room 212

Mayor Kelly presiding

CALL TO ORDER: 5:30 PM

CITY COMMISSION MEMBERS PRESENT: Bob Kelly, Mary Sheehy Moe, Rick Tryon, and Owen Robinson. Commissioner Tracy Houck was excused.

STAFF PRESENT: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Deputy City Attorney Jeff Hindoien; Police Chief Jeff Newton; Fire Chief Jeremy Jones; and, Deputy City Clerk Darcy Dea.

Public participation is welcome as follows:

- Attend in person. Please refrain from attending in person if you are not feeling well.
- Provide public comments via email. Comments may be sent via email before 12:00 PM the day of the meeting to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration; and, will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties.
- The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The public may view and listen to the meeting on cable channel 190, or online at <https://greatfallsmt.net/livestream>.

PUBLIC COMMENT

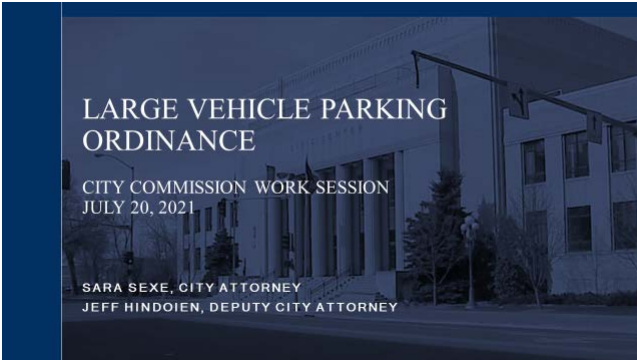
Kevin Westie, 602 35th Street North, discussed federal land acquisitions and adjusting the proposed public works inspection fees for Public Works projects. He inquired if there were statistics of children struck by vehicles caused from large vehicles parked on the streets.

1. LARGE VEHICLE PARKING ORDINANCE.

Deputy City Attorney Jeff Hindoien reviewed and discussed the following PowerPoint presentation:

JOURNAL OF CITY COMMISSION WORK SESSION

July 20, 2021



PURPOSE

- The City of Great Falls (through both elected officials and staff) is again receiving a large number of complaints regarding the long-term parking of large recreational vehicles and trailers in the street in residential areas.
- This issue was again the subject of public comment and expressions of concern at the Commission's June 1st meeting

PURPOSE

- An Advisory Task Force has previously conducted research on this subject and reviewed examples of ordinances, and also noted existing ordinances in Montana:
- Butte: BSBMC 10.52.070 – Prohibits parking of trailers for more than 48 hours in any consecutive 7 day period
- Billings: BMCC 24-406 – Prohibits parking of any trailer in a residence district “other than for the expeditious loading or unloading of such vehicles.”

ZONING CHANGES -- 2017

- In 2016, City staff were continuing to discuss the issue of large recreational vehicles being parked in the public ROW.
- At the same time, City staff were also seeing a rise in complaints about large recreational vehicles that were actually **not** parked in the public ROW, but rather were parked on private property -- but on lawns, gravel or other surfaces that did not comply with zoning requirements

ZONING CHANGES -- 2017

ZONING ORDINANCE CHANGE -- 2017

- Staff identified certain zoning provisions that were barriers to off-street parking for large recreational vehicles, and made recommendations to the Commission for changes to those provisions:
 - Restrictions on curb cuts and driveways; and
 - Restrictions on surface materials for off-street parking

ZONING CHANGES -- 2017

ZONING ORDINANCE CHANGE -- 2017

- In May of 2017, the Commission approved Ordinance No. 3155, making two significant changes to the zoning ordinance to better facilitate off-street parking of large recreational vehicles in residential areas:
 - Expanded driveway width and allowance of gravel / pavers for parking surface (formerly required concrete or asphalt)
 - Expanded parking surface allowed for older alley-loaded residential lots;

PROPOSED CODE STRUCTURE

- Add **NEW PROVISIONS** to existing OCCGF Title 10 parking regulations that would:

- Create a category of vehicle defined as “Recreational Vehicle”:

“ . . . a vehicle primarily designed as temporary living quarters for recreational camping or travel use that either has its own motor power or is mounted on or drawn by another vehicle. The term includes a travel trailer, camping trailer, truck camper and motor home. A recreational vehicle does not include a pickup truck with an attached topper.”

PROPOSED CODE STRUCTURE

- Add **NEW PROVISIONS** to existing OCCGF Title 10 parking regulations that would:

- Create a category of vehicle defined as “Utility Trailer”:

“ . . . a non-motorized vehicle designed to be towed by a motor vehicle used to transport (enclosed or un-enclosed) one or more boats, personal watercraft, snowmobiles, all-terrain vehicles, off-road equipment, construction equipment, live-stock, vehicles, or other goods and materials.”

JOURNAL OF CITY COMMISSION WORK SESSION

July 20, 2021

PROPOSED CODE STRUCTURE

- Add **NEW PROVISIONS** to existing OCCGF Title 10 parking regulations that would:
 - Only allow for the **TEMPORARY** parking of recreational vehicles, utility trailers or vessels in a **RESIDENTIAL ZONING DISTRICT** for the limited purpose of loading and unloading
 - Limit the **TEMPORARY** parking period to fixed time range – draft language presently refers to **36 hours in any 7 day period**
 - Only allow the **TEMPORARY** parking **within 200'** of the person's property boundary

PROPOSED CODE STRUCTURE

- **ENFORCEMENT MECHANISMS** would generally mirror other Title 10 Parking provisions:
 - **WRITTEN NOTICE** affixed to vehicle requiring removal within 24 hours
 - **CITATION** issued if vehicle not removed
 - **FINES** to be set by Commission Resolution
 - **NON-PAYMENT OF FINES** may result in collection agency referral and/or Municipal Court enforcement proceedings
 - **IMMOBILIZATION** available as an option after second or subsequent **CITATION**



Mayor Kelly received clarification that adding a new provision to the existing Official Code of the City of Great Falls (OCCGF) that states removing, instead of moving, abandoned vehicles would be in compliance of the OCCGF.

Commissioner Robinson expressed support of adding a new provision to the OCCGF with regard to removing instead of moving abandoned vehicles. He expressed concern with regard to a lack of storage capacity for large vehicles. He added that elderly individuals are reluctant to provide their names when reporting neighbors for parking large vehicles in the street due to fear of being bullied.

Deputy City Attorney Hindoien explained that 200 feet of a person's property boundary was an arbitrary number used with regard to the new provision to the OCCGF that would allow temporary parking.

Commissioner Tryon inquired about the distance that large parked vehicles need to be within a certain proximity of an intersection, as well as statistics of children being struck by vehicles caused from large vehicles parked on the streets. He expressed concern with regard to the enforcement aspect adding to an overburdened Police Department.

Police Chief Jeff Newton responded that the OCCGF 10.9.050 states that it is a violation to park a vehicle within 30 feet of any crosswalk, within 20 feet beyond any crosswalk, within 30 feet in front of, or 20 feet beyond any mid-block crosswalks.

JOURNAL OF CITY COMMISSION WORK SESSION
July 20, 2021

Commissioner Tryon inquired if the distance should be adjusted for larger and taller vehicles.

Police Chief Newton responded that the application and enforcement of measuring large parked vehicles would be a challenge and could take time away from police officers responding to other crimes. He requested that the Commission take into consideration the concerns mentioned with regard to the Large Vehicle Parking Ordinance.

Mayor Kelly received clarification that the Support Services Bureau handles the abandoned vehicle program and utilizes volunteers and civilian personnel. Mayor Kelly commented that large vehicle parking is a safety issue that needs to be addressed, without taking away from the Police Department's mission of public safety.

Commissioner Moe expressed concern that large vehicle parking is a safety issue, as well as creating nuisance property. She expressed support of a Large Vehicle Parking Ordinance as long as the Ordinance identifies all of the types of vehicles and is clear about what it's trying to accomplish.

Police Chief Newton commented that the City would have an obligation to educate community members before any enforcement begins if the Large Vehicle Ordinance is adopted by the Commission. He clarified that an abandoned vehicle that constitutes a significant traffic and safety hazard would supersede the complaint driven process.

It was the consensus of the Commission for Legal staff to pursue drafting a Large Vehicle Parking Ordinance.

DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

City Manager Greg Doyon reported that Mansfield Theater Fees is scheduled for August 3, 2021 Work Session. He further reported that at the last two budget cycles, City staff has not recommended taking the inflationary factor or increasing taxes; however, there will be an increase next year because the City has been depleting the fund balance. At the start of COVID-19, the City was in a strong financial position to utilize the fund balance to offset lost revenues; however, the City won't be able to sustain the fund balance. City staff may need to consider adjusting fees in certain funds that rely on utilization to offset increased expenses to cover the cost of providing a service.

City staff has been meeting with community partners with regard to utilizing additional funding for capital improvement projects. Staff is looking at opportunities in the capital improvement plan and utilizing ARPA/Cares Act funding for large scale projects.

ADJOURN

There being no further discussion, Mayor Kelly adjourned the informal work session of July 20, 2021 at 6:20 p.m.