

JOURNAL OF COMMISSION WORK SESSION
August 18, 2015

City Commission Work Session
Civic Center, Gibson Room

Mayor Winters presiding

CALL TO ORDER: 5:30 p.m.

ROLL CALL: City Commissioners present: Michael J. Winters, Bill Bronson, Fred Burow, Bob Jones, and Bob Kelly.

STAFF PRESENT: City Manager and Deputy City Manager; City Attorney; Directors of Fiscal Services, Planning and Community Development, and Public Works; Police Chief; and the Deputy City Clerk.



**** Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of this meeting for additional detail. ****

1. PUBLIC COMMENT

There were no comments from the public.

2. UPDATE ON THE EFFECTS OF SIGN CODE REGULATION CHANGES

Planning and Community Development Director Craig Raymond provided and discussed a PowerPoint presentation update on the effects of sign code regulation changes, including staff recommendations for revisions to the sign code.

 <h3 style="text-align: center;">Sign Code Purpose</h3> <ul style="list-style-type: none">• Promote aesthetically pleasing appearance of the community• Provide adequate business identification & advertising communication• Improve Great Falls' image by eliminating sign clutter• Encourage signage of a scale and character consistent with building, site, streetscape and neighborhood• Ensure protection of pedestrians and motorists from distractions and obstructions of improperly-placed signs	 <h3 style="text-align: center;">Background</h3> <ul style="list-style-type: none">• Current Sign Code was adopted in 2003 after an extensive process which included numerous stakeholders• By and large, the current sign code is a good document• Zoning map/sign code revisions in 2005 did create some unintended issues with signs, creating non-conforming signs throughout the city• Recent Supreme Court decisions indicate we need some changes to our code• Some provisions are creating considerable concern in the business community
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Recommendations

• TECHNOLOGY

- Acknowledge that new technology exists (LED)
- Provides standards that will allow it's use while still providing for a safe environment



Recommendations

• LEGAL ISSUES

- *Reed vs. Town of Gilbert*- Code needs to not discriminate based on “message” of the sign. Signs such as ideological, political or even temporary event signs should generally be consistent
- Casinos are not allowed free-standing pole signs in any zoning district whereas any other business or “message” in commercial districts are allowed



Recommendations

• RESIDENTIAL SIGNS

- Prohibit illuminated signs in Residential Zoning Districts. Exempt Schools and Churches which can be regulated with the required conditional use permit
- Remove sign standards for C-1 and M-1 zoning districts from the residential section and move to a new section providing some additional flexibility for these areas while still reflecting their commercial/residential transitional nature



Recommendations

• COMMERCIAL SIGNS

- Better define sandwich board signs and where they are permitted (sidewalks 8' and greater)
- Prohibit permanent signs on PUBLIC property such as right of ways. Eliminate the Boulevard Encroachment Permit process for signs
- Clean up language dealing with double frontage or corner properties and when/how they may be allowed to have a second free-standing sign



Recommendations

• OFF-PREMISE SIGNS (Billboards)

- No significant changes recommended at this time



Recommendations

• DESIGN AND CONSTRUCTION

- Modifications to reflect current technology and eliminate obsolete language
- Include changes to reflect current State Building Code and standards
- Eliminate Class B sign contractors license
 - Keep Class A for electrical signs
 - Allow general contractor license to qualify to erect non-electrical signs

 <h2 style="text-align: center;">Recommendations</h2> <ul style="list-style-type: none"> • <u>OWNER ERECTED SIGNS</u> • Provide greater flexibility for property owners to erect their own non-electrical signs (up to 32 sq. ft.) in keeping with other provisions allowing owners to perform construction on their own property 	 <h2 style="text-align: center;">Recommendations</h2> <ul style="list-style-type: none"> • <u>NON-CONFORMING SIGNS</u> • Eliminate provisions requiring all non-conforming signs to come into compliance by December 31, 2015 • Provide new provisions whereby non-conforming signs may be allowed to continue but with limitations on what can be done to them before being required to be brought into compliance <ul style="list-style-type: none"> • Re-face can be permitted • Re-wire can be permitted • If structural alterations are performed, entire sign shall comply
 <h2 style="text-align: center;">Recommendations</h2> <ul style="list-style-type: none"> • <u>NON-CONFORMING SIGNS</u> • Eliminate provision requiring all non-conforming billboards to come into compliance by December 31, 2015 • Provide other requirements for compliance when structural modifications are being proposed 	 <h2 style="text-align: center;">Next Steps</h2> <ul style="list-style-type: none"> • Seek input/direction from City Commission • Begin public outreach with contractors and other various interest groups • Bring to Planning Board for recommendation • Bring back to City Commission for public hearing

Commissioner Burow reported he has received public concerns questioning why owners of large billboards do not have to pay a fee to reface a sign, but business owners must pay a fee to do so.

Director Raymond responded that he would that review issue.

Commissioner Jones noted issues with state roads, including 10th Avenue South. Some intersections have signs that block driving vision.

Director Raymond responded the City cannot regulate roads maintained by the Montana Department of Transportation.

Commissioner Kelly believes the Commission should only approve resolutions in the future that the City can spend time and money to enforce.

City Manager questioned the requirements for contractors to construct signs.

Director Raymond responded that a general contractor's license is required to construct and erect signs.

3. BUDGET UPDATE

City Manager Greg Doyon noted a typographical error on the agenda report for Agenda Item 16, for the Commission meeting at 7 p.m. Page 3 of 4 under Fiscal Impact: \$822,535 of new taxable value **minus** \$107,208 library allocation **minus** previous revenue estimate of \$95,000 = ~~\$623,327~~ should read **\$620,327**.

Fiscal Services Director Melissa Kinzler provided a Taxable Valuation History handout that will be included in the adopted FY 2016 budget. She noted the last step in the budget process is to set the mill levy. The FY 2016 budget included an estimated \$95,000 of newly taxable property.

Director Kinzler discussed the mill levy trend from 2002-2016 due to newly taxable property. She reported the 2016 taxable valuation received from the Department of Revenue on August 3, 2015, was \$822,535. A majority of the value increase is due to the expansion of Calumet and other centrally assessed property purchased by Sprint.

Director Kinzler reported the City has an agreement with the Library to provide 9 mills. The actual mill value increased so the Library will receive approximately \$107,000 additional revenue for FY 2016.

The City has approximately \$620,327 new tax revenue not included in the FY 2016 budget, which includes the intent to increase for the inflationary factor and the permissive medical levy, that are included in Resolution 10116 for consideration by the Commission at its regular meeting tonight. Without the increase for the inflationary factor and the permissive medical levy, there would be \$246,940 in new tax revenue.

Commissioner Kelly questioned the amount of unanticipated funds the City will receive because of the history of protests. He believes the Commission should proceed as planned with the increase for the inflationary factor and the permissive medical levy.

Commissioner Bronson expressed concern what could happen next year with health care costs if the permissive medical levy is not taken. He agreed the Commission should proceed as planned.

Commissioner Jones also expressed support for the increase for the inflationary factor and the permissive medical levy, and possibly address some of priorities of the City in six months.

Commissioner Burow believes the public should be given a break in taxes and he does not support the increase for the inflationary factor and the permissive medical levy.

Mayor Winters expressed support for the increase for the inflationary factor and the permissive medical levy.

Commissioner Bronson requested recommendations from the City Manager for use of the unanticipated funds.

City Manager Greg Doyon suggested an Assistant/Deputy City Attorney position. There would be enough funding for that position, regardless of whether the increase for the inflationary factor and permissive mill levy are taken. He also noted there are many areas of the budget that have been deferred for years. He noted the additional funds are atypical, so he cautioned the Commission to consider what is and what is not sustainable. He also noted the City will have to address the needs that have been outlined to the Commission at some point in the future.

4. DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS

City Manager Greg Doyon provided a handout Master Work Session Topic List.

ADJOURN

There being no further discussion, Mayor Winters adjourned the informal work session of August 18, 2015, at 6:24 p.m.