

Regular City Commission Meeting

Mayor Winters presiding

**CALL TO ORDER:** 7:00 PM

Commission Chambers Room 206

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ROLL CALL:** City Commission members present: Michael Winters, Bill Bronson, Bob Jones, Bob Kelly and Fred Burow. Also present were the City Manager and Deputy City Manager; City Attorney; Directors of Fiscal Services, Planning and Community Development, and Public Works; Fire Chief; Police Captain; City Clerk and the Deputy City Clerk.

**AGENDA APPROVAL:** No changes were proposed by the City Manager or City Commission. The agenda was approved as submitted.

**SPECIAL PERFORMANCE:** The Great Falls College MSU Community Choir performed Christmas music.

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

**NEIGHBORHOOD COUNCILS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from Neighborhood Council representatives.

**CONSENT AGENDA.**

2. Minutes, December 1, 2015, Port Authority meeting.
3. Minutes, December 1, 2015, Special Work Session meeting.
4. Minutes, December 1, 2015, Commission meeting.
5. Total expenditures of \$2,516,623 for the period of November 14, 2015 through December 2, 2015, to include claims over \$5,000, in the amount of \$2,291,558.
6. Contracts List.
7. Grants List.
8. Set public hearing to consider a lease agreement with the Great Falls Saddle Club for a portion of City owned property within Wadsworth Park.

9. Postpone award of construction contract for the 25<sup>th</sup> Street North Bike/Pedestrian Bridge Construction. **OF 1306.8**
10. Award bid for three new 2016 Kenworth T370 tandem axle dump trucks with Williamsen-Godwin boxes to Motor Power Great Falls, Inc., in the amount of \$292,001, including trade-ins.
11. Approve Interlocal Agreement between Cascade County and the City of Great Falls for Emergency Fire and Medical Services through September 30, 2018.

**Commissioner Burow moved, seconded by Commissioner Kelly, that the City Commission accept the Consent Agenda as presented.**

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

Commissioner Kelly referred to Item 9 and requested that more information be provided in the future about the discrepancy between the engineer's estimate and bid amounts.

Mayor Winters asked if there were any comments from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

### **BOARDS & COMMISSIONS**

#### **12. APPOINTMENT, CITY-COUNTY BOARD OF HEALTH.**

**Commissioner Jones moved, seconded by Commissioner Kelly, that the City Commission appoint Peter Gray to the City-County Board of Health for a three-year term commencing January 1, 2016, and ending December 31, 2018.**

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

Commissioner Kelly noted the qualifications of all three candidates. He suggested Commissioner Bronson, on behalf of the City-County Board of Health, relay to the two unsuccessful candidates to apply for other boards in the future.

Mayor Winters asked if there were any comments from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

#### **13. APPOINTMENT, PARK AND RECREATION ADVISORY BOARD.**

**Commissioner Kelly moved, seconded by Commissioner Bronson, that the City Commission reappoint Shirley Davis and appoint Erin Madison Granger, George Geise and Lonnie Hill for three-year terms beginning January 1, 2016, through December 31, 2018, to the Park and Recreation Board.**

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

Motion carried 5-0.

14. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

There were no miscellaneous reports and announcements from representatives of Boards and Commissions.

**PUBLIC HEARINGS**

15. **CDBG & HOME GRANT/CONSOLIDATED PLAN COMMUNITY NEEDS PUBLIC HEARING**

Planning and Community Development Director Craig Raymond reported that, as part of the obligation as recipients of HUD/CDBG monies, the City is required to hold this public hearing in order to provide an opportunity for the community to express to the City Commission and City staff what needs exist in the community that the City may address through the CDBG program. This information is important to consider when the Commission makes decisions on funding priorities and final allocations.

The City Commission will not take action tonight as the information being gathered will be compiled by staff and brought to the Commission at a future date.

Mayor Winters declared the public hearing open.

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, commented that one of the greatest needs of citizens in the community is for higher wage jobs and benefit opportunities. There is an 18-20 percent gap between the average wage and cost of living. That places a tremendous strain on individuals, families, the City, and on all the social service agencies that try to fill that gap.

**John Juras**, 220 Woodland Estates, spoke in favor of programs that help abused and neglected children in the community.

**Neil Fortier**, NeighborWorks Great Falls, 509 1<sup>st</sup> Avenue South, spoke in favor of decent, affordable housing. One of the top priorities of a recent housing market analysis is affordable work force housing is this community.

**Shyla Patera**, North Central Independent Living, 1120 25<sup>th</sup> Avenue NE, urged the Commission to take in account accessibility of the City, housing and healthcare for the disabled.

**Deb Huestis**, Family Connection, 201 2<sup>nd</sup> Avenue South, spoke in favor of easy, accessible child care.

**Sheila Rice**, NeighborWorks Great Falls, 509 1<sup>st</sup> Avenue South, spoke in support of affordable

housing to support economic growth in Great Falls.

**Lori Eckhardt**, Family Connections, discussed the dramatic rise in children under Child Protective Services. She spoke in support of high quality child care as that provider is often the only stability in the child's life. She urged the Commission to make young children a priority.

**Ann Baker**, Child & Family Services, spoke in support of Family Connections and its interest in providing trauma informed services in its daycare.

There being no one further to address the Commission, Mayor Winters closed the public hearing.

16. **RESOLUTION 10127 FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A COMMUNITY RESIDENTIAL FACILITY, TYPE II ON LOT 12 AND EAST ½ LOT 13, BLOCK 169, FOURTH ADDITION, SECTION 6, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M. MT., CASCADE COUNTY, MONTANA, ADDRESSED AS 2211 5<sup>TH</sup> AVENUE NORTH.**

Planning and Community Development Director Craig Raymond reported that this item is a request to consider adoption of Resolution 10127 which provides for a Conditional Use Permit (CUP) for the establishment and operation of a Type II Community Residential Facility. There are several types of Community or Congregate Residential Living Facilities contemplated within the Official Code of the City of Great Falls. Director Raymond reviewed:

"Community residential facility" means any one (1) of the following as defined:

- a. "Community group home"
- b. "Youth foster home"
- c. "Youth group home"
- d. "Halfway house"
- e. "Adult foster family care home"

"Community residential facility, type I" means a community residential facility with eight (8) or fewer individuals.

"Community residential facility, type II" means a community residential facility with nine (9) or more individuals.

If approved, the CUP will allow St. Vincent de Paul (after tentative purchase from Gateway Community Services) to establish the proposed land use in the existing facility. The proposed project, if approved, will be a re-establishment of a prior use. The previous tenant, Gateway Community Services, received a CUP and operated a very similar use but for a different population. The current Grace Home proposal will be for homeless veterans. The project consists of two floors and a basement including 10 total beds.

Title 17, Chapter 20 of the Official Code of the City of Great Falls requires a Conditional Use Permit before permitting a use that is defined as a type II community residential facility. The CUP process is typically done to allow staff and the City's decision making bodies to establish appropriate conditions onto the project to protect the health, safety and general welfare of

neighboring property owners and the public. Additionally, it gives the public the opportunity to voice any concerns or support they may have on the proposed development.

Staff finds and recommends that the proposed CUP conforms with the seven (7) criteria established as the basis of decision as set forth in OCCGF 17.16.36.040.

At the conclusion of a public hearing held on November 24, 2015, the Zoning Commission recommended the City Commission approve the Conditional Use Permit to construct a Community Residential Facility, Type II on the subject property legally described as Lot 12 and East ½ Lot 13, Block 169, Fourth Addition, Section 6, Township 20 North, Range 4 East, P.M. MT., Cascade County, Montana, addressed as 2211 5<sup>th</sup> Avenue North.

Mayor Winters declared the public hearing open.

Speaking in support of Resolution 10127 were:

**Deborah Kottel**, on behalf of Gateway Community Services and The Society of St. Vincent de Paul of North Central Montana, urged the adoption of the Conditional Use Permit and commented that, not only does it return the building to its historical use, it is consistent with the Growth Policy, and is the right thing to do for the men who have served with honor and to return to them the dignity of having a place to stay while getting their lives together.

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, commented that it is the right thing to do at the right location. From an economic development standpoint, the property will be put back into use. From a community standpoint, everyone deserves quality housing while they get their life stabilized.

**Steve Cape**, President, St. Vincent de Paul of North Central Montana, 431 Central Avenue, commented that less than one percent of our total population guarantees our freedoms for the other 99 percent. With that freedom comes a responsibility to care for our veterans when they return home. This transitional housing fulfills a part of that responsibility to them by allowing them a place that is secure and safe to rebuild their lives and reenter as proud citizens as they so gallantly earned by their service. He urged approval of the CUP to return a grateful thank you to our veterans.

**Bill Garberg**, 1712 19<sup>th</sup> Avenue South, on behalf of Vets4Vets, reported that since the Stand Down started nine years ago, Vets4Vets assisted 31 veterans into housing in Great Falls. He commented that, because of budget cuts, veterans are at risk of losing their housing.

**Jane Weber**, 701 4<sup>th</sup> Avenue North, Gateway Community Services Board Member, commented that the Board is very happy veterans are interested in creating a transition facility at the Grace Home. It is an appropriate use of the facility.

**Christopher Wiegenstein**, 1211 7<sup>th</sup> Avenue South, commented that he is a veteran and professional in the community for substance abuse. He reported that this transitional housing is a dire need in the community.

**Rodger McConnell**, 3305 9<sup>th</sup> Street NE, recognized Chris Christians who has worked on this project since its inception. It is nice to see it so close to a reality. Since working on the Stand Down, he sees every year how many damaged veterans there are in this community.

**Sheila Rice**, NeighborWorks Great Falls, 913 3<sup>rd</sup> Avenue North, commented that transitional housing is a huge need in the community and NeighborWorks supports this type of housing.

**Kori Vogt**, 1306 20<sup>th</sup> Street South, commented that Supportive Services for Veteran Families deal with the imminently at risk of homelessness and the homeless veteran population in the City of Great Falls and surrounding areas. She concurred with the previous speakers' statements, and strongly supports approval of this through Volunteers of America.

No one spoke in opposition to Resolution 10127.

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

**Commissioner Bronson moved, seconded by Commissioners Burow and Jones, that the City Commission adopt Resolution 10127.**

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

Commissioner Burow requested clarification of the property legal description.

Director Raymond and Ms. Kottel explained that what has been in ownership is the legal description of Lot 12 and east one-half of Lot 13. If approved, a lot aggregation plan will be submitted to the Zoning Commission before a building permit or occupancy permit is issued.

Commissioner Bronson commented that what the Commission is being asked to approve is a step forward for veterans.

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

Motion carried 5-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

#### **17. COMPREHENSIVE ANNUAL FINACIAL REPORT (CAFR) AND AUDIT REPORT, FY 2014-2015.**

Fiscal Services Director Melissa Kinzler reported the City's audit committee met on December 8, 2015, and recommends that the City Commission accept the Comprehensive Annual Financial Report (CAFR), Required Client Communication Letter and the City's Response to the Required Client Communication Letter.

The Required Client Communication Letter comments on any internal control recommendations related to the operations of the City. The letter notes that the auditors have no new

recommendations for FY 2014-2015 and one prior year recommendation that is in compliance and no longer recommended.

Governmental Accounting Standards Board (GASB) Statement 68 was implemented in the FY 2014-2015 CAFR. Previous GASB reporting standards required employers to report only the amount that they were contributing toward the retirement plan on an annual basis. The new standards require the City to report a portion of the total net pension liability on the City's balance sheet, even though no employer will be required to pay off this liability immediately or in any accelerated manner.

The audit committee also reviewed and accepted two Agreed Upon Procedures (Special Emphasis) reports - one on the closure of ECP and the Electric Fund and one on the Park & Recreation cash receiving procedures.

**Loran Stensland**, Junkermier, Clark, Campanella, Stevens, P.C. (JCCS), noted that JCCS is engaged by the City as its independent auditors. He discussed the audit review process this year. He provided an overview of the sections of the CAFR, and noted page 202, Summary of Auditors' Results, expressed an unmodified opinion on the financial statements of the City of Great Falls. He concluded that the results of the auditors' tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. The City continues to be a low risk auditee.

City Manager Greg Doyon noted that the Electric Fund has been wrapped up. He shared that the City had directed the auditors to review that fund three times prior to this report that comprehensively lists the amount of losses and investment into that fund. It lays out which funds were impacted, what was written off and what the investments were. Despite the amount of losses contained therein, the Commission also received notice that the City is at 23% of its fund balance. The policy is a minimum of 17%. He credited the Commission for taking a difficult situation, moving the ball on that, and ultimately restoring the City financially where it needs to be to commit to other projects and other funds.

**Commissioner Jones moved, seconded by Commissioner Kelly, that the City Commission accept the FY 2014-2015 Comprehensive Annual Financial Report (CAFR), Responses to the Required Client Communication Letter recommendations as presented, and authorize staff to submit the related reports to other government agencies and financial institutions as necessary.**

Mayor Winters asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Winters asked if there were any comments from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, referred to page 163 of the CAFR and reviewed government mill levies over the last 10 years. He commented that it looks to him like the City's mill levy has had a disproportionate increase as compared to other governmental bodies in the community. He further discussed page 165 of the CAFR, and commented that people receiving the benefit of tax increment financing (TIF) are not supporting public safety. Mr. Gessaman concluded that for nine of the 10 years that ECP was in existence, it lost money.

There being no one else to address the Commission, Mayor Winters called for the vote.

Motion carried 5-0.

### **ORDINANCES/RESOLUTIONS**

### **PETITIONS AND COMMUNICATIONS**

#### **18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Brett Doney**, on behalf of the Great Falls Development Authority, thanked Mayor Winters and the Commissioners for their service during this Commission term. A lot of economic development progress was made under this leadership the last few years. The support was very much appreciated.

**Sheila Rice**, NeighborWorks Great Falls, 509 1<sup>st</sup> Avenue South, thanked Mayor Winters for his years of service.

**Steve Alley**, 316 ½ Central Avenue, thanked Mayor Winters for his service to Great Falls and his work on the Veterans Memorial. He publicly called for the resignation of Commissioner-Elect Tracy Houck. Particularly, for Commissioner Kelly to encourage her to step down given that he endorsed and supported her. He suggested that due to her campaign actions she has no right to serve this community.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed an audit committee appointment at the last Commission meeting, and the members that make up the audit committee. He suggested the audit committee members be changed to that recommended by the Government Finance Officers Association.

### **CITY MANAGER**

#### **19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon responded to comments made regarding the audit committee, increasing millage, TIF districts, ECP losses, and services of Great Falls Fire Rescue.

Manager Doyon discussed a notice he received in his International City Managers Association (ICMA) letter titled "City Managers Prepare for the Threats of Terrorism." He encouraged the public to be aware and that resources are available to better understand what those threats are and how to protect against them.

Manager Doyon, Deputy Manager Reichelt, Director Raymond, City Attorney Sexe and City Clerk Kunz thanked Mayor Winters for his service and commitment to the City, and wished him well in the future. Manager Doyon announced that a reception for Mayor Winters is scheduled for Friday, December 18<sup>th</sup>, at Electric City Coffee.

Deputy City Manager Jennifer Reichelt announced that City offices will be closed at 3 pm on Christmas Eve and New Year's Eve, and Christmas Day and New Year's Day.



**CITY COMMISSION****20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Bronson expressed appreciation to Dr. Ray Geyer for his service on the City-County Board of Health and this community. Dr. Geyer specializes in infectious diseases at the Great Falls Clinic and recently received statewide recognition for his work in the treatment and prevention of HIV. Last year Dr. Geyer was well equipped to advise communities on protocols for dealing with the Ebola virus.

Mayor Pro Tempore Jones presented Mayor Winters with a plaque expressing appreciation for his service and betterment of our community.

Mayor Winters congratulated Mayor-Elect Bob Kelly and wished him well. He thanked the Commission members and City staff for working with him as a team, and he thanked City Clerk Kunz for her support.

**21. COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Burow moved, seconded by Commissioner Jones, to adjourn the regular meeting of December 15, 2015, at 8:35 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

Minutes Approved: January 5, 2016