

Regular City Commission Meeting

Mayor Kelly presiding

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

Commission Chambers Room 206

### **PLEDGE OF ALLEGIANCE**

The Great Falls Public Schools' Indian drum group performed a cultural honor song.

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Tracy Houck, Bob Jones, Bill Bronson and Fred Burow. Also present were City Manager Greg Doyon and Deputy City Manager Jennifer Reichelt; City Clerk Lisa Kunz; Public Works Engineer Dave Dobbs; Planning and Community Development Director Craig Raymond; Fiscal Services Director Melissa Kinzler; Fire Chief Steve Hester; City Attorney Sara Sexe; Assistant City Attorney Joe Cik; and Police Captain Jeff Newton.

**AGENDA APPROVAL:** City Manager Greg Doyon requested the addition of a Proclamation titled "Bike to Work Week." He also noted a correction to page 2 of Agenda Report 3.

No changes were proposed by the City Commission. The agenda with the City Manager's requested changes was approved.

**PROCLAMATIONS:** Commissioner Jones read a proclamation for Police Week, and Commissioner Houck read a proclamation for Bike to Work Week.

\*Commissioner Houck stepped out at 7:31 p.m.

**PRESENTATION:** The Commission presented Deputy City Manager Jennifer Reichelt with a Resolution of Commendation, Appreciation and Gratitude for her dedication and service to the City of Great Falls.

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

### **PETITIONS AND COMMUNICATIONS**

#### **1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

- A. Sheila Rice**, NeighborWorks Great Falls, expressed appreciation to Jennifer Reichelt for serving on the NeighborWorks Board for five years. She presented Jennifer with an Award of Accomplishment.
- B. Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed overflowing garbage cans in Jaycee Park and dandelions along River Drive by the Veterans Memorial. He suggested taking better care of facilities that tourists are seeing. Mr. Gessaman commented that Bob Bronson works for Anderson ZurMuehlen (AZ). He would have thought it appropriate that Commissioner Bill Bronson acknowledge that he was a relative or recused himself from voting on the audit services

contract at the last Commission meeting.

Commissioner Bronson explained that Bob Bronson, a member of the AZ firm, is his cousin; he isn't involved in auditing activities; and, he is about to retire from the firm. Commissioner Bronson further explained that, after conferring with the City Attorney and studying the issue, no conflict existed and there were no issues participating.

- C. **Chuck Jennings**, 317 Fox Dr., acknowledged Jennifer Reichelt's participation in the River's Edge Trail Foundation. Her contributions greatly benefitted the efforts of the Foundation.

### **NEIGHBORHOOD COUNCILS**

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from Neighborhood Councils.

### **BOARDS & COMMISSIONS**

3. **APPOINTMENT, BOARD OF ADJUSTMENT/APPEALS.**

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission appoint David J. Carlson to the Board of Adjustment/Appeals for the remainder of a three-year term through September 30, 2018.**

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

Motion carried 4-0.

4. **BOARD OF ADJUSTMENT/APPEALS, BOARD MEMBER INTRODUCTIONS AND BOARD REPORT.**

Board members Krista Smith, Kyle Palagi and Chris Ward introduced themselves. Members not present are David Saenz and Jule Stuver. The Board consists of engineers, architects and professionals in the construction industry. Ms. Smith reported that the Board reviews and considers variance applications and occasionally an appeal.

The Commission presented the board members with certificates recognizing them for the work that they do and thanking them for their service.

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

There were no miscellaneous reports and announcements from members of boards and commissions.

### **CITY MANAGER**

**6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon recognized City employees Judy Burg and Jeff Hedstrom for their participation in the recent Intermountain GIS Conference held in Great Falls.

Manager Doyon also announced that Great Falls Fire Rescue was awarded a grant of approximately \$302,000 from FEMA for the purchase of self-contained breathing apparatus, and that the City's ISO rating increased, which is good news for every homeowner and business owner in the City. The rating is a factor in the formula that insurance companies use to determine insurance premiums.

Fire Chief Steve Hester elaborated that the three main components of why the City gained points in its ISO rating were: emergency communications, operational considerations and credit for training, and community risk reduction.

Manager Doyon recognized Deputy Manager Jennifer Reichelt for her service to the City. He reported that Jennifer also served on the following boards: NeighborWorks, United Way, River's Edge Trail, Downtown Development Partnership, Graduation Matters Executive Committee, GFDA Loan Committee, Junior League, and Great Falls Ad Club. She hosted a number of radio programs on behalf of the City and was the City's public information officer. She judged the speech and debate meets, participated in career day, leadership high school, leadership Great Falls, and she recently became an ICMA credentialed manager candidate. She was also involved with some City policy-related projects. The most notable was the City Manager's Office taking over leadership of the Animal Shelter. She was involved in the development community. She also took over Events in the Civic Center, and negotiated several union contracts.

Deputy Manager Jennifer Reichelt responded that she has learned a lot and feels blessed. She cherishes the friendships and relationships of the people she worked with at the City and in the community. She concluded that Great Falls will always be a special place that she will want to come back to and visit. It was a special time in her life. Being able to make an impact in this community has meant a lot. She expressed appreciation for that opportunity.

**CONSENT AGENDA.**

7. Minutes, May 3, 2016, Commission meeting.
8. Total expenditures of \$2,087,659 for the period of April 19, 2016 through May 4, 2016, to include claims over \$5,000 in the amount of \$1,799,888.
9. Contracts list.
10. Approve bid to supply asphaltic concrete material to Great Falls Sand & Gravel, Inc. of Great Falls in the amount of \$716,250.

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

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed a *Tribune* article quoting Erik Dirk, an agent with Mountain West Farm Bureau Mutual Insurance, about the ISO rating and whether it will have an effect on the homeowner insurance premiums.

Mr. Gessaman commented on portions of the May 3<sup>rd</sup> Commission Meeting Minutes, Item 7, pages 79, 80 and 87, as well as a payment made from the Street District fund listed in Item 8.

With regard to Item 9A, Mr. Gessaman inquired why the City was having a study done.

City Engineer Dave Dobbs responded that the study is to look at additional water main crossings across the Missouri and Sun Rivers. There are currently three crossings across the Missouri River. The mains age from 1930's to 1970's. A lot of growth in town has been to the west side of the river. The study will provide for additional locations for future crossings. Staff would like to get one more crossing across the Sun River and two more crossings on the Missouri River for redundancies in the systems.

\*Commissioner Houck returned to the meeting at 7:54 p.m.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

### **PUBLIC HEARINGS**

11. **ORDINANCE 3141, AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), REPEALING TITLE 15, CHAPTER 5, AND CREATING TITLE 16 PERTAINING TO THE PROPERTY MAINTENANCE CODE (IPMC).**

City Attorney Sara Sexe reported that before the Commission is Ordinance 3141 that will create Title 16 of the OCCGF in order to separate property maintenance provisions from Title 15 where the building codes are referenced. While it is published as part of the City's building code, the IPMC is neither considered nor used as a building code or regulation.

The City's adoption of the IPMC was not intended to regulate the design, construction, reconstruction, alteration, conversion, repair, inspection, or use of buildings and installation of equipment in buildings. It was adopted to supplement enforcement of the City's municipal codes regarding proper property maintenance.

Because the IPMC is not used to regulate building design or construction, it should be relocated within the municipal code and be given its own title, separate from the building code. There is currently no Title 16 in the OCCGF, so creating a Title 16 to reference a City property maintenance code separately, would be appropriate to eliminate any confusion that it is distinct from the City building codes.

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to Ordinance 3141.

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

**Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission adopt Ordinance 3141.**

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

Commissioner Burow noted that no major changes were done to the Property Maintenance Code. It was moved to a new section in the OCCGF.

City Attorney Sexe reviewed the minor changes. No substantive changes were made.

Mayor Kelly called for the vote.

Motion carried 5-0.

### **OLD BUSINESS**

#### **12. CITY OF GREAT FALLS AUDIT COMMITTEE.**

Fiscal Services Director Melissa Kinzler reported that the Audit Committee met on April 8, 2016, to review audit contract requests for proposals. During this meeting, a discussion was held about the current size and membership of the Audit Committee (Committee). The Committee decided that the current membership should remain the same with the addition of another private citizen. The current charter was reviewed and already refers to "private citizens." The current Committee consists of the Mayor, a City Commissioner, the City Manager, the Fiscal Services Director and a private citizen. The Committee is recommending that the City Commission approve the addition of an additional private citizen to the Committee. This would make the Committee at least six members.

**Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission approve an increase of the City of Great Falls Audit Committee to at least six members which will include an additional private citizen.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. He noted that prior to the next Audit Committee meeting he would like to entertain discussion amongst the Commissioners regarding who would like to serve on this Committee.

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, provided information about corporate board audit committees. He would like to see less management and more citizens on this Committee.

Commissioner Burow noted there are different requirements for private versus government

entities. He requested that staff research and provide information to the Commission regarding audit committees of other cities and government entities.

Mayor Kelly noted that the Audit Committee meetings are open to the public. He concurred with Commissioner Burow's request for staff to explore what other cities and towns are doing.

Commissioner Bronson also concurred. He added that there are different standards legally and otherwise that apply to government entities as opposed to the private sector. The Government Finance Officers Association (GFOA) has established a number of recommended best practices for audit committees. Additionally, while the Committee serves a particular function, the City hires an independent accounting firm to conduct audits.

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

Motion carried 5-0.

### **NEW BUSINESS**

13. **LABOR AGREEMENT BETWEEN CITY OF GREAT FALLS AND THE PLUMBERS AND FITTERS LOCAL #41 (PLUMBERS).**

Deputy City Manager Jennifer Reichelt reported the current labor agreement between the City of Great Falls and Plumbers and Fitters Local No. 41 expires June 30, 2016. The contract before the Commission is for a two year period from July 1, 2016 through June 30, 2018.

There are five employees in this unit. Pending Commission approval, wages will be increased by 2.25% effective July 1, 2016 and 3% effective July 1, 2017. This equates to about \$7,600 the first year and \$9,005 the second year.

Deputy Manager Reichelt reviewed other major changes to the contract. The Plumbers' members voted to ratify the proposed agreement.

**Commissioner Houck moved, seconded by Commissioner Jones, that the City Commission approve the labor agreement between the City of Great Falls and the Plumbers and Fitters Local #41.**

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

Motion carried 5-0.

### **ORDINANCES/RESOLUTIONS**

14. **ORDINANCE 3139, AMENDING TITLE 17 AND TITLE 5 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, ENCOMPASSING AMENDMENTS RELATED TO THE SIGN CODE.**

Planning and Community Development Director Craig Raymond reported that Ordinance 3139 provides for an update to the City's sign code. The current code was adopted in 2003 after an

extensive public process. For the most part the current sign code is a very good document and has accomplished many of the goals it set out to in 2003. There was, however, issues that became apparent over time which needed to be addressed. As directed by the City Commission, the Planning and Community Development Department initiated a review process specific to those issues while also considering public input and reviewing legal issues.

The primary concern in the community pertained to non-conforming signs and a date certain by which all non-conforming signs must come into compliance. While the regulations adopted in 2003 gave the business community more than 10 years to prepare for this requirement, only a handful of businesses either registered their signs under the grandfather sanctuary which was offered or actually changed out their signs ahead of the deadline.

The code amendments being proposed require compliance with the sign code over time. But, changes the enforcement of the code to an event driven process rather than a certain date for compliance. In other words, if significant changes to a sign cabinet or structure are being proposed, then the non-conforming aspects of the sign shall be brought into compliance at that time.

Additional amendments pertain to common problems encountered over the last 13 years. Many are minor but important none the less to those businesses that may be impacted in ways that perhaps were not intended.

Finally, other amendments are proposed as a result of legal review of court case results around the nation. Changes need to be made in order to ensure consistency in enforcement between similar types of signage and messages being portrayed.

City staff solicited conversations with sign professionals as well as other members from the business community as part of the process. Two public meetings were held for those interested. Additionally, the Planning Advisory Board held two public hearings in order to receive input about the sign code and any proposed changes. Subsequent to the final public hearing on April 12, 2016, the Planning Advisory Board voted unanimously to recommend approval of the sign code change package before the Commission.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission approve Ordinance 3139 on first reading and set the public hearing for June 7, 2016.**

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

Commissioner Jones commended Planning and Community Development staff.

Commissioner Bronson also expressed gratitude to the Planning Advisory Board members.

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

Motion carried 5-0.

**CITY COMMISSION****15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Houck discussed her experience attending and participating in the recent fire academy in Washington. She emphasized the importance of the technology used in that line of work.

Mayor Kelly announced that after the meeting there may be a quorum attending a celebration in honor of Deputy Manager Reichelt. No Commission business will be discussed.

**16. COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Jones moved, seconded by Commissioner Bronson, to adjourn the regular meeting of May 17, 2016, at 8:23 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

Minutes Approved: June 7, 2016