

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, Bob Jones, Bill Bronson, Fred Burow and Tracy Houck. Also present were City Manager Greg Doyon; City Clerk Lisa Kunz; Public Works Engineer Dave Dobbs; Planning and Community Development Director Craig Raymond; Fiscal Services Director Melissa Kinzler; City Attorney Sara Sexe; and Police Chief Dave Bowen.

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

**PROCLAMATION:** Mayor Kelly read a proclamation for Wild Fest Days.

**\*\* 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.**

**Ken Roberts**, 2821 2<sup>nd</sup> Avenue North, thanked the Park and Recreation Department staff, on behalf of the Scouts and Master Gardeners, for their helpful assistance when called upon.

**Daniel Hartzell**, 2325 24<sup>th</sup> Street South, encouraged support of his proposal of a youth drum and bugle corps at the next school board meeting. He further discussed proper English rather than slang.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed tax abatements that came before the County Commission at its meeting today, and County staff comments regarding City approval of same. He suggested the Commission provide presenters the opportunity to use PowerPoint during Commission meetings.

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, announced that Montana Eggs is moving forward with an expansion. He provided and discussed handouts regarding GFDA's 2<sup>nd</sup> quarter 2016 index, business development, and an economic overview and manufacturing partnerships. He thanked Commissioner Bill Bronson for sitting on GFDA's executive committee for many years. Mr. Doney invited everyone to attend the Agri-Tech Park celebration on Friday morning at 9 a.m.

**NEIGHBORHOOD COUNCILS**

**2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Gary Schoenthal** and **Barney Danishefsky**, NC 9, urged Commission support of Resolution 10157, and thanked the City Street Department for its efforts.

**Kathy Gessaman**, NC 3, thanked Public Works staff, Jerry McKinley and Dave Dobbs, for presenting at the council's September 1<sup>st</sup> meeting regarding the installation of crosswalks subsequent to a study of the intersection of 2<sup>nd</sup> Street NE and 36<sup>th</sup> Avenue NE, and planning information regarding 36<sup>th</sup> Avenue NE, as well as Phil Faccenda for his presentation regarding the Great Falls High School.

**BOARDS & COMMISSIONS****3. CASCADE COUNTY CONSERVATION DISTRICT BOARD, BOARD MEMBER INTRODUCTIONS AND BOARD REPORT.**

**Gayla Wortman**, Chair, introduced five of the seven member board: Alan Rollo, John Chase, Elliot Merja, Scott Brown and Stevie Neuman. She reported that there are 58 conservation districts in Montana representing 56 counties, and that there are over 400 volunteer board members. In the next while she noted that the board would like to work on getting the 1946 boundaries of the City of Great Falls included in the conservation district. The property tax would result in about the price of a pizza.

Chairperson Wortman and Mr. Merja discussed board projects that included Ag Days in May, the North Bank project, as well as cost share programs that include frost-free waterers and irrigation projects. Conservation Districts as a whole are advocates of stopping dust clouds in that they help farmers and ranchers with better practices.

Board meetings are open to the public and are held at 12:30 p.m. on the second Monday of every month in the upstairs conference room of the 1<sup>st</sup> Interstate Bank building.

The Commission presented the board members with Certificates of Appreciation recognizing them for the work they do and thanking them for their service.

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

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

**CITY MANAGER**

**5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported that preliminary interviews will be conducted in the next couple of days for the HR Director position, and then the Deputy City Manager position.

He discussed energy efficiency opportunities that were presented by McKinstry representatives at this evening's work session, and the opportunity to remedy some deferred maintenance issues in some departments.

Planning and Community Development Director Craig Raymond added that as other City facilities are evaluated the potential for savings increases.

**CONSENT AGENDA.**

6. Minutes, August 16, 2016, Commission meeting.
7. Total expenditures of \$3,302,962 for the period of July 28, 2016, through August 24, 2016, to include claims over \$5,000 in the amount of \$2,781,459.
8. Contracts list.
9. Lien release list.
10. Approve School Resource Officer Services Agreement with the Great Falls School District for the 2016/2017 school year.
11. Approve the bid award for gasoline and diesel fuel to Mountain View Co-Op for three years at an annual cost of approximately \$527,428 and authorize the City Manager to execute the contract documents.
12. Approve a professional services agreement in the amount of \$282,830.99 to Industrial Automation Consulting, Inc. for professional services associated with the Water Treatment Plant Improvements Phase I – UV and Chemical Building, Surge Tank and Electrical Building, and authorize the City Manager to execute the documents. **OF 1519.6**
13. Approve Change Order 1 in the amount of \$139.45 for the 25<sup>th</sup> Street North Bike/Pedestrian Bridge Construction (CTEP) and approve final payment in the amount of \$25,234.16 to Tamietti Construction of Great Falls, and \$245.89 to the State Miscellaneous Tax Fund and authorize the City Manager to make the final payments. **OF 1306.8**
14. Approve Change Order 1 in the amount of \$17,202.94 for the 18<sup>th</sup> Street Storm Drain Improvements Phase 4, University of Great Falls Detention Pond, and approve final payments in the amount of \$28,365.48 to Geranios Enterprises of Great Falls, Inc. and \$286.52 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1462.4**

15. Award construction contract in the amount of \$194,764 to Phillips Construction, Inc. for the Clara Park/Ella Tank 16-inch water main re-route and authorize the City Manager to execute the construction contract documents. **OF 1692**
16. Not approve a contract for 36<sup>th</sup> Avenue NE Improvements Phase 2 in the amount of \$854,912 to EDK Engineering and Construction, Inc. **OF 1622.2**

**Commissioner Houck 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.

Commissioner Burow received clarification that the word “case” should be “cast” iron as set forth in Item 8C; that the security fencing being installed at the 911 Center is for the safety of the employees working 24/7 and to secure and protect the assets of that facility as set forth in Item 8D; and that installation of the access controller at the gate is a separate contract as set forth in Item 8E so that the ID cards of the Police Department and Sheriff’s Office personnel will interface with the current system.

There being no further discussion, Mayor Kelly asked if there were any comments from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed the wording of the last paragraph of page 2016.166 of the minutes, Item 6, as well as page 2016.167 regarding the Transit District Board. He suggested that boards report where they get their money from and how much. With regard to Item 7, Mr. Gessaman inquired how much the City intends to expend on computer related expenses. He further noted he was disappointed that Items 8D and 8E didn’t set forth where the funding for the fence and gate was coming from. Item 10, he inquired if \$68,991 for the SRO agreement included fringe benefits of the officers. Item 11, he suggested that the price of fuel for 2014 and 2015 should have also been compared. Concerning Item 16, Mr. Gessaman opined there was a lack of information with regard to what the plan is for 36<sup>th</sup> Avenue.

In response, Police Chief Dave Bowen explained that the funds for Items 8D and 8E are grant monies from the Department of Homeland Security. The City received over \$1.1 million dollars. It’s notable that the City is utilizing federal money and not local tax payer dollars.

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

Motion carried 5-0.

### **PUBLIC HEARINGS**

17. **RESOLUTION 10157, ESTABLISHING A REDUCED SPEED SCHOOL ZONE FOR 25<sup>TH</sup> STREET SOUTH.**

City Engineer Dave Dobbs reported that the purpose of Resolution 10157 is to establish a reduced speed school zone on 25<sup>th</sup> Street South around the crosswalk used by students walking to and from Lincoln Elementary School. This resolution is in direct response to requests from Great

Falls Public Schools and Neighborhood Council 9. If adopted, posted speeds would be reduced from 30 to 25 mph from a point 400 feet north of the 6<sup>th</sup> Avenue South crosswalk to a point 200 feet south. A speed study of 25<sup>th</sup> Street showed that a reduced speed was justified. The Montana Department of Transportation was also consulted since 25<sup>th</sup> Street is a state, federal aid urban route. MDT approved the request with a slight modification. The sign installations will be done in accordance with MDT and manual of traffic control devices requirements. With the reduced speed zone approved, speeding violations will carry double the normal fine.

Mayor Kelly declared the public hearing open.

Speaking in support of Resolution 10157 were:

**Jered Kuno**, 2205 4<sup>th</sup> Avenue South, noted he is a member of NC 9 but was speaking as a citizen in favor of this proposal. It's essential to take care of our children. He noted that in Houston, Texas, the speed zones are 35 mph in the school districts; when school is in session it goes to 20 mph with flashing yellow lights. Mr. Kuno suggested looking at other areas and how they protect their children.

**John Konen**, 3213 17<sup>th</sup> Avenue South, Principal of Lincoln Elementary School, thanked everyone involved for their time in researching and studying this issue. The streets are used heavily. As a principal almost being hit by a car the last couple of years while being a crossing guard and helping out, he definitely thinks this is something that needs to be approved and urged the Commission's support.

**Bob Marten**, 2401 6<sup>th</sup> Avenue South, commented he was a crossing guard there last year. There wasn't a week that went by that he didn't come close to getting run over. From 7:45 a.m. to 8:10 a.m. there are at least 85 cars every five minutes that goes by. He further commented that 50% of those people are on their cell phone or texting. From October to June he counted 4,210 crossings. It's a dangerous situation and needs to be slowed down.

No one spoke in opposition to Resolution 10157.

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

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10157, establishing a reduced speed school zone for 25<sup>th</sup> Street South.**

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

Commissioner Houck expressed appreciation to all crossing guards and school personnel that make sure our kids get to school and home again safe.

Commissioner Bronson recognized and commended Neighborhood Council 9 for their role and work in getting this issue to this point.

Commissioner Burow suggested that the City work with the School District with regard to

installing flashing lights.

Mayor Kelly added that maybe that is something the PTA's could help out with to assist in the funding of those light, as well as the Montana Department of Transportation.

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

Motion carried 5-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

**18. UPPER/LOWER RIVER ROAD WATER AND SEWER DISTRICT, MEMORANDUM OF UNDERSTANDING (MOU) FOR SERVICE DISTRICT #5 (OF 1354.5).**

Planning and Community Development Director Craig Raymond reported that the Upper/Lower River Road Water and Sewer Service District is prepared to move forward with installation of water and sewer infrastructure for Service District #5, which includes 18 parcels of land north and east of Upper River Road and north of 21<sup>st</sup> Avenue South.

The District and the property owners in Service District #5 will be responsible for paying the cost of the water and sewer infrastructure. They have exhausted all previous CDBG allocations and are not proposing to apply for additional grants of loans from this particular source.

The MOU sets forth conditions for properties in Service District #5 to connect to City water and sewer and for annexation of the property into the City.

This MOU is consistent with MOUs for Service Districts 1, 2, 3 and 4 previously approved by the City Commission. Those previous approvals were followed by annexation of 287 parcels of land. There has also been one individual annexation of one parcel subsequent to the District 4 annexation.

The request by the District for annexation and initial zoning of the subject property will be heard by the Planning Board/Zoning Commission and then the City Commission upon the City receiving the appropriate petition. This MOU does not circumvent statutory procedural requirements during an annexation. Rather it is an agreed upon framework which the owners within District #5 can use to help secure funding for construction.

**Commissioner Burow moved, seconded by Commissioners Bronson and Jones, that the City Commission approve the Memorandum of Understanding between the City and the Upper/Lower River Road Water and Sewer District for Service District #5.**

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

Commissioner Burow commented this is needed in that area, and what was done in the last four phases has brought good results to the people in the area.

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

**Rolland Leitheiser**, 136 Sharon Drive, President of the Upper Lower River Road Water & Sewer District, urged Commission approval. He commented that funding is in place. The Board meets tomorrow and will consider the bond anticipation note. Bids came in lower than the engineer's estimate and they are ready for construction.

Commissioner Houck noted how amazed she was at all the public and private work that was done.

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

Motion carried 5-0.

### **ORDINANCES/RESOLUTIONS**

**19. RESOLUTION 10155, TEMPORARILY AMENDING THE ENFORCEMENT AND APPLICATIONS OF PORTIONS OF TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY'S PARKING SYSTEM.**

Planning and Community Development Director Craig Raymond reported that since March of this year, the Parking Advisory Commission (PAC) has been undertaking a significant review of the downtown parking program due to changes in the downtown landscape and revenue and fund challenges. The PAC has made some progress towards making improvements to the parking program.

Throughout this process the PAC talked about the possible need to experiment with different ideas while pursuing solutions for the bigger picture. On July 19, 2016, the City Commission was presented with Resolution 10155 which outlined three different proposals which are designed to decrease costs as well as possibly improve the downtown parking experience. At that meeting, the Commission adopted a substitute motion to postpone consideration of the resolution until additional discussion could take place. On August 15, 2016, the PAC met and discussed the resolution further and approved making some small revisions to present to the City Commission.

These changes were presented and discussed at the August 16, 2016, City Commission work session. At this point in time, the PAC is offering three suggestions to try out for a specific period of time, as follows:

- 1) End the Residential Parking Enforcement Program. A little over a year ago, the City Commission approved establishing a \$25 fee for a residential parking pass in certain areas adjacent to the downtown core. This pass was good for a two year period of time. Although the fee was minimal (a little over a dollar a month) there was a fair amount of public input received regarding this fee. The point wasn't so much the fee but more about whether that fee equaled the service the residents in this area actually received through enforcement and/or whether there was even a problem worth spending staff hours patrolling for. The PAC is suggesting the residential parking program be suspended entirely for one year, temporarily suspend any fees and the requirements for passes, and revert any time limits on parking on the City streets in these areas to the default 72 hours that exists city wide outside of the parking enforcement districts. Signs

will be removed thereby avoiding any confusion about parking rules on these particular streets. Staff will also conduct a public education campaign to educate the residents of the changes to regulations and enforcement.

2) Currently parking downtown is free on Saturday's. There is however two hour time limits enforced as usual. In order to cut costs associated with enforcement downtown and to perhaps promote different types of events downtown on Saturday's, the PAC suggests that the City Commission temporarily suspend enforcement of time limits at all metered locations on Saturdays, beginning immediately upon adoption of this Resolution until March 31, 2017. The original proposal in Resolution 10155 ended the test on October 29, 2016. During PAC deliberations, there was concern about suspending enforcement of time limits along the Central Avenue corridor on Saturdays, as some retail establishments remain busy at this time and turn-over is still desired to promote retail parking availability in convenient locations to businesses. Ultimately, consensus was established and the PAC voted to make this recommendation in order to test parking behavior and impacts to businesses. To a certain extent the PAC and City staff may also learn to what degree parking meters, time limits, fees and fines impact citizen support of the local downtown businesses, as well as downtown resident and employee parking behavior without enforcement.

3) Removal of Parking Meters in Low Demand Areas- When staff and the PAC reviewed the results of an audit of meter revenue within the downtown parking district, it became apparent that some locations see very little traffic and use. The revenue collected in these locations does not support the costs associated with collecting the coins and enforcing the time limits, nor provide significant income for the maintenance of the parking facilities and assets. It also seemed to indicate that regular enforcement may not be beneficial to the adjacent businesses based on the low demand for parking in these areas. That being said, once the proposal to remove some meters became public, there was some concern expressed by a couple of individual businesses which did not want the meters at their specific location to be removed. The PAC ultimately agreed to revise the proposal to remove these locations from the list of meters to be removed. Still, in order to decrease program costs, the PAC and staff are recommending that other meters be removed and time limits suspended in specific areas for one year. Staff and the PAC will evaluate the extent of cost savings and the effects of parking behavior after these changes.

There are many different constituents with differing needs in the downtown area that are affected by the parking program and parking regulations. What the PAC and City staff is attempting to accomplish may seem impossible, but the effort expended now will hopefully show fruit in the future through achieving goals of supporting and enhancing a unique blend of businesses, local shops, restaurants, entertainment venues and special events. The program is committed to enhancing the downtown experience for customers, residents and other stakeholders.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 10155.**

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



Commissioner Burow noted that this is a trial and error period to see what works. He attended most of the PAC meetings and was surprised in a good way of the time and dedication of the PAC members to come up with solutions during this process.

Commissioner Jones thanked Director Raymond and the PAC members.

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, urged the Commission to vote in the affirmative. He inquired if the \$25 residential parking permit fee would be refunded.

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, commented on behalf of the Downtown Development Partnership in support of the changes and urged staff and the PAC to continue testing ideas as things change and new businesses come in to help move the parking program toward self sustainability. Mr. Doney also urged the City to get on the parking contractor to clean the bird guano at the parking garages on a regular basis.

**Greg Hall**, 404 4<sup>th</sup> Avenue North, commented that if something works in certain residential areas and not in other downtown areas, that the Commission accept certain aspects of these changes.

Commissioner Houck asked residents to keep an open dialogue with Director Raymond and the PAC so that they know if these changes are or are not working.

Mayor Kelly asked Director Raymond's intention with regard to people who have recently purchased a permit.

Director Raymond noted most permits were sold early on and are about to expire. He thinks it will be a minimal problem. If there are specific requests for refunds, he would entertain those.

Commissioner Burow noted that most permits are about to expire and refunds would be pro-rated and minimal.

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

Motion carried 5-0.

### **CITY COMMISSION**

#### **20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Burow announced that the Heritage Festival will be held September 23-24, 2016, at the Montana Expo Park.

Mayor Kelly read a letter received from Berlin Mayor Michael Müller regarding the reunion in Great Falls of the Berlin Airlift Veterans Association (BAVA) September 7-10, 2016.

#### **21. 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 September 6, 2016, at 8:30 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

Minutes Approved: September 20, 2016