

**JOURNAL OF COMMISSION WORK SESSION**  
**June 6, 2017**

City Commission Work Session  
Civic Center, Gibson Room 212

Mayor Kelly presiding

**CITY COMMISSION MEMBERS PRESENT:** Bob Kelly, Bob Jones, Tracy Houck and Fred Burow. Commissioner Bill Bronson was excused.

**STAFF PRESENT:** City Manager Greg Doyon, City Attorney Sara Sexe, Fiscal Services Director Melissa Kinzler, Public Works Director Jim Rearden, Police Chief Dave Bowen, and City Clerk Lisa Kunz.

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

1. **CALL TO ORDER:** 5:30 p.m.

2. **PUBLIC COMMENT**

**Don Ryan**, 2101 7<sup>th</sup> Avenue South, commented that the school administration is pleased with how the Design Review Board has been working with them and moving things along. He expressed appreciation to City staff that retrieves and replaces the garbage cans in the alley of 7<sup>th</sup> Avenue South after rain storms. He further expressed support for the proposed Park Maintenance District.

Mr. Ryan considers the best parks the City's golf courses. The courses have suffered by deferred maintenance. He commented that he started the Father's Day golf tournament as a fund raising effort for maintenance at the golf courses. He has been working on making the courses visually attractive for people coming to the courses. He reported that, after the volunteer work of clearing tree branches, play at the course has reduced from about 5 hours to 4 hours and 10 minutes because people are not looking for balls. It helps ease the frustration at the golf course. Mr. Ryan reported that he is an applicant for the Golf Advisory Board being considered on this evening's agenda. He commented that he has an agenda, he wants Eagle Falls golf course to be one of the best courses in the state. He also discussed encouraging young golfers to attend Anaconda golf course at a reduced price and to offer junior passes that include a group golf lesson one day per week. He suggested that the Golf Advisory Board get and be proactive.

3. **CITY COUNTY HEALTH DEPARTMENT UPDATE AND ANNUAL REPORT**

Health Officer Tanya Houston provided a brief overview of the 2016 City County Health Department (CCHD) Annual Report and statistic highlights. The CCHD's goal is to improve the health of Cascade County through a myriad of services, and its mission is to prevent disease and illness, ensure a healthy environment, provide healthy choices and deliver quality services. Ms. Houston reports to the Board of Health and Board of County Commissioners. She reviewed the functions and services of the Family Health Services Division that includes the Cascade Foster Child Health Program, the Parents as Teachers (PAT) Program, Oral Health Education Program, the Suicide Prevention Task Force, and the Women, Infants, Children (WIC) Program; the

Environmental Health Services Division that includes licensed establishment inspections, Septic Program, subdivision review, superfund site involvement, and rabies investigations; the Prevention Services Division that includes community wellness and outreach, the Tobacco Use Prevention Program, public health emergency preparedness, immunizations, mobile clinics, and HIV/HCV testing. Ms. Houston also reviewed the sources of funding, revenues and expenses of the CCHD.

#### **4. MUNICIPAL COURT UPDATE AND BUDGET REVIEW**

Municipal Court Judge Steve Bolstad reported that last year the court processed over 13,000 notices to appear (NTA)/tickets. With the passage of Marsy's Law and HB 133 he anticipates a big impact on Court administration and time. He explained the Marsy's Law changes that will take place with the introduction of the victim into the process in every step of the criminal proceedings. He expressed concern about losing trials on the speedy trial basis, utilizing the Commission chambers as another courtroom, the addition of at least a part-time judge, additional clerks, prosecutor and a bailiff. The implementation of Marsy's Law may be challenged and the July 1, 2017, effect date could be delayed.

HB 133 is a 90 page document that will affect the Police Department's fingerprinting process. It also lessens some of the criminal requirements in order to get away from having public defender representation. HB 133 requires that the defendant be fingerprinted and photographed after the initial appearance. However, at the time of initial appearance the defendant is innocent and has not yet entered a plea. At the time when charges are no longer pending the fingerprint and photograph cards need to be returned to the defendant within 10 days. This will require photograph equipment and personnel costs.

With regard to the possible challenge of Marsy's Law, Mayor Kelly inquired what the Commission's procedures were to join the challenge so that it undergoes extreme vetting before implementation.

City Attorney Sara Sexe reported that the ACLU contacted a number of cities to join in as potential party plaintiffs with regard to challenges to a number of different factors of the legislation. The Helena City Commission voted to proceed with joining the challenge. If the Commission were interested, City staff could look at joining that challenge. The filing of an amicus brief would be appropriate and she assumes the Montana League of Cities and Towns would be looking into that.

City Attorney Sexe also reported that it will be very difficult to meet the requirements of HB 133 by the effective date of July 1. The recently purchased public safety software already has had to be amended for the electronic capability for these types of things.

Police Chief Dave Bowen reported on his conversations with other cities concerning this legislation.

Mayor Kelly underscored that this legislation from Helena came with no additional funding to provide these services – unfunded mandates.

With regard to Marsy's Law, Commissioner Houck commented that it was a law that sounded good, but that it could also re-victimize people and put victims in serious situations that may not be good for them.

Mayor Kelly summarized that, based on this legislation, the court's already stretched staff will come to the point that more resources will be required.

## **5. DISCUSSION OF POTENTIAL UPCOMING WORK SESSION TOPICS**

City Manager Greg Doyon reported that there are currently no topics for discussion for the June 20<sup>th</sup> work session. The budget will get presented at the Commission meeting on July 5<sup>th</sup>. A special budget work session is scheduled for June 28<sup>th</sup>.

Manager Doyon asked if the Commission wanted any topics added to the list.

Commissioner Burow suggested a follow up work session regarding the impacts of the legislation discussed, as well as medical marijuana.

With regard to medical marijuana, City Attorney Sexe responded that one request was made for a permit since November of 2016. The position of the City is that because marijuana continues to be in violation of federal law the City cannot issue a permit.

Mayor Kelly requested an August work session for a review of the CDBG procedures and opportunity for changes going forward.

## **ADJOURN**

There being no further discussion, Mayor Kelly adjourned the informal work session of June 6, 2017, at 6:36 p.m.