

Regular City Commission Meeting

Mayor Winters presiding

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ROLL CALL:** City Commissioners present: Michael Winters, Bob Jones, Bill Bronson, Fred Burow and Bob Kelly. Also present were the City Manager; Deputy City Manager; City Attorney; Planning and Community Development Director and Deputy Director; Public Works Director; Human Resources Manager; Police Chief, and the City Clerk.

**AGENDA APPROVAL:** City Manager Greg Doyon reported that the MMIA Bob Worthington Risk Management Achievement Award to Risk Manager Angela Swingley will be rescheduled. No changes were proposed by the City Commission. The agenda as amended was approved.

**PROCLAMATION:** Mayor Winters read a proclamation for College Community Choir Day.

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

### **NEIGHBORHOOD COUNCILS**

**1. SWEARING IN CEREMONY.**

Mayor Winters performed the swearing in ceremony for Bernard Danishefsky and Jeff Lauver, representatives of Neighborhood Council 9.

**2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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

**CONSENT AGENDA.**

- 3.** Minutes, November 18, 2014, Commission meeting.
- 4.** Total Expenditures of \$2,175,052 for the period of November 1-19, 2014, to include claims over \$5,000, in the amount of \$1,910,083.
- 5.** Contracts list.
- 6.** Grants list.
- 7.** Set public hearing for December 16, 2014, to obtain comments on the housing and community development needs of the City of Great Falls.

8. Approve the Community Based Policing Agreement with the Great Falls Housing Authority.
9. Approve final payment in the amount of \$13,598.10 to United Materials of Great Falls, Inc. and \$137.35 to the State Miscellaneous Tax Division for the Lower West Hill Storm Drain. **OF 1649**

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

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.

### **BOARDS & COMMISSIONS**

#### **10. APPOINTMENTS, PARK & RECREATION BOARD.**

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission reappoint Patrick Carroll and appoint Lynn Ulmer Oatman and June Sprout for three-year terms beginning January 1, 2015, through December 31, 2017, to the Park and Recreation Board.**

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

Motion carried 5-0

#### **11. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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

### **PUBLIC HEARINGS**

#### **12. ADMINISTRATION AND OPERATION OF THE CITY'S PARKING SYSTEM.**

- A. **ORDINANCE 3122 AMENDING TITLE 10, CHAPTERS 3, 48 AND 87 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE ADMINISTRATION AND OPERATION OF THE CITY'S PARKING SYSTEM.**
- B. **RESOLUTION 10083, ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH 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 there are a number of reasons why a city like Great Falls needs a parking system whether public or private. There are two primary issues that historically created the demand for the system we have today. Initially the goal was to generate turnover in front of the downtown businesses that suffered when cars would park in front of businesses all day long. Businesses felt that their customers didn't have a

fair opportunity to find reasonable parking. Maximum time limits were instituted to help alleviate this problem. Obviously revenue needed to be generated to help support enforcement efforts. Eventually surface lots and parking garages were developed to help fill a distinct need in downtown Great Falls. These facilities play a direct supporting role in the health and well-being of the businesses downtown. There are a lot of people living, working and shopping in downtown Great Falls and there may be many more in the near future. These people need to park somewhere. These facilities are desperately needed in order to support downtown revitalization. Again, revenue needs to be generated to support these facilities. Facilities age over time and require regular maintenance.

Director Raymond concluded that Planning and Community Development Department staff and the Great Falls Parking Advisory Commission (PAC) have been working on the recommendations that are incorporated in Ordinance 3122 and Resolution 10083 since November, 2013. The measures being proposed for Commission consideration are an estimation of what is minimally required to maintain a modest parking system.

Mayor Winters declared the public hearing open.

Speaking in support of Ordinance 3122 and Resolution 10083 were:

**Darren Brown**, PAC Chairman, residing at 2740 Evergreen Drive, reported that the PAC would appreciate the Commission considering the board's recommendations for additional revenue for the parking program.

Speaking in opposition to Ordinance 3122 and Resolution 10083 were:

**Bill Ferrin**, Ferrin's Furniture, 308 1<sup>st</sup> Avenue South, suggested the elevator repairs be deferred until monies are available to fix them, and the elevators be roped off and the first floor of the parking garages be for handicap parking only. He further suggested that the penalty for first offense meter violations remain at \$5, \$10 for second offense, \$15 for third offense and \$20 thereafter.

**Ike Kaufman**, Kaufman's Menswear, 411 Central Avenue, suggested a \$5 administration fee, rather than \$10 added to all penalties that are not paid within thirty (30) days; enforcement of Saturday morning parking; and increasing the hourly garage parking fee.

**Sue Sargeant**, 2521 9<sup>th</sup> Avenue South, employee of the Great Falls Public Library, commented that she is opposed to increasing the meter violation fines as she feels it will defeat the purpose of having meters by a public education facility.

**John Hubbard**, 615 7<sup>th</sup> Avenue South, opined the proposed increase in parking rates, fees and penalties is due to the losses of Electric City Power.

**Brian Kaufman**, Kaufman's Menswear, 411 Central Avenue, suggested that a marketing plan be involved to identify the strengths and weaknesses of downtown parking – a joint venture between the City and downtown organizations to promote parking. He concluded that, "an informed customer is a better customer."

**Alison Fried**, Dragonfly Dry Goods, 504 Central Avenue, commented that she plugs the meter for customers, pays for three courtesy parking spaces in front of her store and for five to eight employees to park in the parking lot. At the end of the month the amount she pays for parking ads up. As a business owner she wants to make it fun and inviting and a neat place to be for her customers and, at the same time, give everyone a chance to be there. It's a hard balance. There are a lot of property owners and community members that really care about making downtown amazing.

**Jim Sargeant**, 2521 9<sup>th</sup> Avenue South, suggested no more parking meters, no increased rates, and to market downtown. Mr. Sargeant urged the Commission to vote against these items.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, suggested getting rid of parking meters, transferring the parking garages to private ownership, and getting out of the parking business. Mr. Gessaman also discussed inconsistencies in the documents.

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

**Commissioner Kelly moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3122 as submitted.**

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

City Manager Greg Doyon discussed the public hearing comments and suggestions and he reviewed the options the Commission has before it. It is not the City's intent to deter people from going downtown, but it is the City's intent to try to find a way to deal with the responsibilities for the infrastructure that it has. Manager Doyon inquired if the City could meet its ADA responsibilities by limiting the first level parking in the garages just for handicap parking as was suggested. Director Raymond responded negatively due to the number of parking stalls that are true ADA accessible. He explained that much of the floor is on a ramped or sloped surface and is too steep for ADA surfaces.

Commissioner Jones suggested that staff explore the idea of CDBG monies to repair/reconstruct the garage elevators.

Commissioner Bronson commented that whether the City has parking meters or not, it still requires some kind of a regulatory system for parking downtown.

Motion carried 5-0.

**Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission table consideration of Resolution 10083.**

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

Commissioner Bronson explained that tabling the resolution would provide the opportunity to consider the public comments provided tonight, discuss same with staff, and come back in two

weeks and be prepared to vote.

Commissioner Kelly thanked Darren Brown and the PAC. He inquired if comments made this evening by downtown business owners have already been explored by the PAC and staff. Director Raymond responded that there were no new comments made this evening that have not already been explored. When funds become available, staff will begin working on projects that will improve the system and help to market the system.

Commissioner Kelly added that people come downtown because there are things that are unique. There are great, unique stores that are destinations for people to come and do work at. The location is as much a part of that uniqueness as anything else. The fact is parking is something that people are use to in any metropolitan area that offers the kind of downtown stores and services that Great Falls has. The work of the PAC has been a struggle and vetted, and he doesn't believe there is anything new to consider by delaying action this evening.

Commissioner Jones concurred with Commissioner Kelly. He also noted this matter has been discussed for months. This Commission could proceed with amendments to the Resolution.

Mayor Winters concurred with Commissioner Bronson. He is not in favor of increasing parking meter revenue.

Commissioner Jones noted that staff prepared a parking revenue strategy covering years 2015-2018. There was no parking meter increase proposed until year 2018. He suggested moving forward this evening with the revenue strategies for 2015-2016, reassessing the revenue during that period, and then moving forward with what was presented for 2017-2018 at a later date.

Manager Doyon emphasized that the Commission appoints the members of the Parking Advisory Commission that are comprised of downtown business owners that have made these recommendations.

Commissioner Burow noted that he would prefer the parking fines to be a courtesy ticket, \$5, \$10, \$15 and \$20.

There being no further comments, Mayor Winters called for the vote on the motion to table consideration of Resolution 10083.

Motion failed 2-3 (Commissioners Burow, Jones and Kelly dissenting).

**Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10083 with the following amendments (provisions taken from Table 1: 2014 Parking Revenue Strategies):**

Revenue Measure	FY 2015	FY 2016
Increase Rate, Lot 7	\$ 1,800 Approve as Written	

Increase Courtesy Parking Fees	\$ 3,000 Approve as Written	
Increase Fines	<del>\$ 60,000</del> Courtesy, \$5, \$10, \$15, \$20	
Residential Parking Permit Fee	\$ 10,000	<del>\$ 10,000</del>
Raise Cost of Delivery Permits	\$ 1,000	<del>\$ 1,000</del>
Increase Surface Parking Lease Rates	\$ 5,300	<del>\$ 5,300</del>
Increase Garage Lease Rates	\$ 28,000	<del>\$ 28,000</del>

**And, deny enforcement of Saturday metered parking; and, add a provision that, prior to the conclusion of 2015, the Commission reassess the revenue before considering the staged increases for FY 2017 and FY 2018.**

Commissioner Jones reiterated that this motion does not include any parking meter rate increases whatsoever.

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

Commissioner Bronson inquired of staff if, based on the amendment and table in the agenda report, an assessment of the revenue impact could be provided.

Planning and Community Development Deputy Director Lee Nellis responded that Saturday parking was not added into the table, and estimated the change in fines from \$60,000 to \$35,000-\$40,000.

Commissioner Jones concluded that this Commission will still be sitting in 2015 to reevaluate the system and make a final decision.

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

Motion to Adopt Amended Resolution 10083 carried 3-2 (Mayor Winters and Commissioner Bronson dissenting).

### **OLD BUSINESS**

### **NEW BUSINESS**

#### **13. CONTRACT AWARD, PUBLIC WORKS ADMINISTRATION BUILDING ADDITION (OF 1455.7).**

Public Works Director Jim Rearden reported that this project will add two offices and open office space onto the Public Works Administration Building in order to accommodate personnel for the new Environmental Division to comply with the Environmental Protection Agency (EPA) and the Montana Department of Environmental Quality (DEQ) mandates. The Environmental Division will implement and enforce the increasing amount of rules, regulations and programs that the Public Works Department is required to administer and enforce.

Four bids were received and opened for this project on November 19, 2014. The bids ranged from \$177,777.00 to \$234,795.00. James Talcott Construction submitted the low bid. James Talcott Construction is an established, responsible local contractor and has done numerous projects within the City.

**Commissioner Kelly moved, seconded by Commissioners Burow and Jones, that the City Commission award a contract in the amount of \$177,777 to James Talcott Construction, Inc., for the Public Works Administration Building Addition (OF 1455.7), and authorize the City Manager to execute the construction contract documents.**

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, inquired why the project was being funded from the sanitary sewer fund, if the storm sewer is also part of the responsibilities of the new environmental division. He also inquired why these offices were larger and what the open work area is for.

Director Rearden responded that the funding listed in the agenda report is sanitary sewer fund. All of the capital and the operations and maintenance that are taken care of in the storm drain fund will be assessed to the sanitary sewer fund. So it will be proportioned out. The extra office space is to accomplish and accommodate the required sampling activities of the environmental division staff.

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

Motion carried 5-0.

**14. LABOR AGREEMENT BETWEEN CITY OF GREAT FALLS AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 233 (IBEW).**

Human Resources Manager Linda Williams reported that the IBEW covers six employees. The previous labor agreement was for a one-year period, expiring June 30, 2014. The terms of the proposed agreement extend the agreement for two years, from July 1, 2014 through June 30, 2016. She reviewed the major changes from the previous agreement as well as the fiscal impacts. The IBEW members voted on the proposed agreement and ratified the agreement.

**Commissioner Bronson moved, seconded by Commissioners Burow and Kelly, that the City Commission approve the labor agreement between the City of Great Falls and the International Brotherhood of Electrical Workers, Local 233, and authorize the City Manager to execute the agreement.**

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.

**15. LABOR AGREEMENT BETWEEN CITY OF GREAT FALLS AND THE MONTANA PUBLIC EMPLOYEES' ASSOCIATION (MPEA).**

Human Resources Manager Linda Williams reported that the previous labor agreement was for a one-year period, expiring June 30, 2014. The terms of the proposed agreement extend the agreement for three years from July 1, 2014 through June 30, 2017, covering 87 employees. She reviewed the major changes from the previous agreement as well as the fiscal impacts. The MPEA members voted on the proposed agreement and ratified the agreement.

**Commissioner Burow moved, seconded by Commissioners Jones and Kelly, that the City Commission approve the labor agreement between the City of Great Falls and the Montana Public Employees Association, and authorize the City Manager to execute the agreement.**

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.

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

Human Resources Manager Linda Williams reported that the previous labor agreement was automatically renewed for a one year period, and expired June 30, 2014. The term of the proposed agreement is for a two year period from July 1, 2014 through June 30, 2016, covering five employees. She reviewed the major changes from the previous agreement as well as the fiscal impacts. The Plumbers' members voted to ratify the proposed agreement.

**Commissioner Bronson 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 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.

Mayor Winters recessed the meeting at 8:40 p.m. and called the meeting back to order at 8:45 p.m.

**ORDINANCES/RESOLUTIONS**

**PETITIONS AND COMMUNICATIONS**

**17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

- A. John Hubbard**, 615 7<sup>th</sup> Avenue South, discussed deregulation of the power companies, recession, Electric City Power, and his lawsuit against a past employer.



- B. **Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, suggested a cross-country ski trail next to the River's Edge Trail, and the development of a transportation plan to accommodate additional housing in Great Falls. Mr. Gessaman also cautioned the Commission against considering the sale of Skyline park land.

**CITY MANAGER**

18. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon announced that a charter is close to being finalized that will formalize an agreement between Malmstrom and Montana Air National Guard military installations and the City and County local governments. He also expressed kudos to those that were recently promoted at the Great Falls Police Department, and recognized Police Chief Bowen and his leadership team.

Deputy City Manager Jennifer Reichelt reported that Fire Chief Randy McCamley announced his retirement after 31 years of service.

**CITY COMMISSION**

19. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Winters announced that, with the assistance of the *Tribune*, he was able to provide the contact information for two old Navy friends to reunite.

20. **COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Jones, to adjourn the regular meeting of December 2, 2014, at 8:58 p.m.**

Motion carried 5-0.

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Mayor Michael J. Winters

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City Clerk Lisa Kunz

Minutes Approved: December 16, 2014