

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 and Deputy City Manager; City Attorney; Directors of Fiscal Services and Public Works; Planner II and CDBG Administrator; Police Chief; and the City Clerk.

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

**** Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of this 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, January 6, 2015, Commission meeting.
3. Total Expenditures of \$3,526,945 for the period of December 25, 2014, through January 7, 2015, to include claims over \$5,000, in the amount of \$3,327,182.
4. Contracts list.
5. Approve purchase of six new 2015 Ford Sedan Police Interceptors and one new 2015 Ford Police Interceptor SUV to Bison Motor Company of Great Falls in the amount of \$184,338.68.

Commissioner Burow moved, seconded by Commissioner Jones, 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

6. REAPPOINTMENTS, GREAT FALLS REGIONAL AIRPORT AUTHORITY BOARD.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint Richard Swensen and Brad Talcott to three-year terms through December 31, 2017, to the Regional Airport Authority Board.

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

Commissioner Kelly thanked Messrs. Swensen and Talcott for their continued good service.

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

Motion carried 5-0.

7. CONSIDERATION OF GREAT FALLS TRANSIT DISTRICT BOARD APPOINTMENT.

Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission reappoint Tim Scott Braulick to the Great Falls Transit District Board for a four-year term through November 30, 2018.

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

Commissioner Bronson commented that the Transit District Board voted at its last meeting to recommend that the position be advertised. It was his understanding of the policy that if a board or commission made a recommendation like this for readvertising, the Commission would follow the advertisement process before making an appointment.

Commissioner Burow commented that his understanding of the policy was that boards and commissions could make recommendations, but that the City Commission wasn't bound by that recommendation. He added that since the Commission first appointed Mr. Braulick he has attended training which he believes shows Mr. Braulick's desire to serve on this board. He further noted that the open position was advertised for two months before Mr. Braulick applied and was appointed.

Commissioner Jones commented that reappointments have been done for other boards such as was just done for the Airport Authority. Mr. Braulick has shown motivation and support. The Commission had a discussion a couple of months ago regarding whether he should or shouldn't be appointed. He is in support of Mr. Braulick's reappointment.

Commissioner Bronson commented that paragraph 5 is subordinate to paragraph 4 in the policy concerning appointments.

City Attorney Sara Saxe commented that paragraph 4 of Resolution 10059 requires both the statement of interest from the person eligible for reappointment and the recommendation of the board or commission to be done without advertising.

Commissioner Kelly inquired if there was a venue for the Transit District Board to communicate directly to the City Commission about concerns they may or may not have. If there is a way and they haven't communicated to the Commission then he feels it should be a reappointment as was just done for the Airport Authority Board.

City Attorney Sexe responded that the Transit Board has legal counsel and if they formalized an opinion with regard to this member, they could appear and comment under the Boards and Commissions portion on the agenda and provide the Commission with information.

Commissioner Bronson pointed out that his concern is regarding following the policy and has nothing to do with the individual, his qualifications, or what the other Board members feel.

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

Motion carried 4-1 (Commissioner Bronson dissenting).

8. **APPOINTMENT, BUSINESS IMPROVEMENT DISTRICT.**

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission appoint Jason Madill to the Business Improvement District Board of Trustees to fill the remainder of a four-year term expiring June 30, 2016.

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.

9. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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

PUBLIC HEARINGS

10. **ORDINANCE 3128, REZONE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF 46TH STREET NORTH AND 3RD AVENUE NORTH FROM R-3 SINGLE-FAMILY HIGH DENSITY TO R-5 MULTI-FAMILY MEDIUM DENSITY.**

Planning and Community Development Planner II Galen Amy reported that this is a public hearing to consider Ordinance 3128 which would rezone the subject property from R-3 Single-Family High Density to R-5 Multi-Family Medium Density.

The subject property has a non-residential land use history as it was previously the location of a neighborhood church and parking lot. There was also a preschool/daycare approved by the State for up to 45 children which operated at the church in 2003 and 2004. City records indicate the church existed from at least the early 1960s through 2009, when it was razed and the property has been vacant since that time.

While the current R-3 zoning does not allow a multi-family apartment use, staff finds that rezoning the subject property to R-5 may be appropriate considering the historical use of the property and considering other adjoining land uses.

At a public hearing held on November 25, 2014, the Zoning Commission recommended that the City Commission rezone the subject property to R-5 Multi-Family Medium Density subject to certain conditions.

Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission adopt Ordinance 3128.

Mayor Winters declared the public hearing open.

Speaking in support of Ordinance 3128 was **Brett Doney**, Great Falls Development Authority, 300 Central Avenue. Mr. Doney commented that quality apartments are needed. He also spoke in support of infill development. Given the uses in the area, he concluded that this would be an appropriate use for this site.

No one spoke in opposition to Ordinance 3128.

Mayor Winters closed the public hearing.

Commissioner Burow inquired the physical address of the property and was informed that because it is a vacant lot it does not have an address at this point.

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

Motion carried 5-0.

OLD BUSINESS

11. 2015/2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) POLICIES AND FUNDING PRIORITIES.

Planning and Community Development Planner II Galen Amy reported that this item is a request to adopt Community Development Block Grant (CDBG) policies, and set 2015-2016 funding allocations that will provide the Community Development Council (CDC) with parameters for funding before they hear requests to fund specific programs during the 2015/2016 CDBG funding cycle. Staff is anticipating that in the upcoming federal funding cycle the City will receive roughly equal to last year's allocation although staff has not received any official word from HUD.

The request is to set “funding percentages” as follows:

- **Administration 20%** - the maximum amount allowable.
- **Public Services 10%** - those fund programs and services primarily for low-income residents especially seniors, children and the disabled.

- **Economic Development 10%** - these funds will be eligible targeted special economic development activities.
- **Affordable Housing 30%** - funds that would continue to support the City's Revolving Loan Fund Specialist and that portion of the Code Enforcement Officer's work in eligible census tracts.
- **Public Facility Improvements 30%** - funds for capital improvements for infrastructure, park facilities and public buildings amongst other similar facilities.

Planner II Amy added that this year staff is asking the City Commission to approve the previously adopted policies with one exception that the Commission set the minimum grant request and award at \$10,000. In the past, the award of some of the smaller grants came at the expense of not being able to fully fund some other larger grants. The desire to fund as many projects as possible is commendable. However, it can also have some negative consequences such as decreasing the total desired impact on the projects which did not get fully funded or even the possibility that the project may not proceed at all. This policy change is also likely to have a positive impact on administration efficiency because it's likely that the total number of grants to manage and monitor may decrease.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission adopt the Community Development Block Grant Policies, reaffirm the Citizen Participation Plan, and set the 2015/2016 CDBG Funding Priorities.

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

Commissioner Kelly requested that staff double check the upcoming meeting dates.

Mayor Winters asked if there was any public comment. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

NEW BUSINESS

ORDINANCES/RESOLUTIONS

12. RESOLUTION 10095, RESOLUTION SETTING THE SALARY FOR THE MUNICIPAL COURT JUDGE.

City Attorney Sara Sexe reported that Resolution 10095 sets forth a procedure to set the salary for the Municipal Court Judge. The salary has historically been set as a part of the City Commission's annual budgetary process and was not tied to any specific factors. In the past, this led to the Judge addressing salary increases through the City Manager's office.

However, this process leads to a potential conflict between two of the three separate branches of the City Government, the Court (established by Article V of the Charter of the City of Great Falls), and the administrative branch, (established by Article VI of the City's Charter).

The purpose of this Resolution is to maintain the separation between the judicial and administration branches of City government and to allow for salary increases which correlate with other elected officials in the regions so that quality candidates for the position can be attracted and retained.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 10095.

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

Commissioner Burow inquired if other cities and towns use this same process and salary percentages.

City Attorney Sexe clarified that the City of Billings uses this process to set the salaries. But after researching the matter other cities and towns come up with similar salary numbers. The Judge's first term salary will now be set at 75% of the salary of the District Court Judge, 80% for a second term, and the maximum would be 90% for a third and subsequent term. Municipal court judges serve four year terms.

Commissioner Bronson added that the State of Montana labored for a long time with what type of a system to come up with. It's been the consensus since the State adopted a similar system years ago that it has worked pretty well. Therefore, District Court Judges' salaries have been commensurate with the state and region. He believes the Municipal Court Judge's salary will be based on a good model.

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

John Hubbard, 615 7th Avenue South, suggested tightening belts. He commented that the public has to pay more taxes.

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

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

John Hubbard, 615 7th Avenue South, commented that he isn't a liar. He suggested charging prior City officials with misappropriation of public tax money for involvement in the coal plant and Electric City Power. He further suggested fining his prior employer for pollution.

CITY MANAGER

14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported that internal recruitment is open for the Fire Chief position.

Deputy City Manager Jennifer Reichelt announced that the City will be hosting an open house for members of the public to meet their elected City Commission officials, Neighborhood Council representatives, Municipal Court Judge, City Manager and some department heads on February 3, 2015, from 5:30-6:30 p.m. in the Gibson Room.

CITY COMMISSION

15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from members of the City Commission.

16. 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 January 20, 2015, at 7:44 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: February 3, 2015