

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 Director Jim Rearden; Planning and Community Development Director Craig Raymond; Library Director Kathy Mora; 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:** Commissioner Bronson read a proclamation for Arlyne Reichert Day.

**\*\* 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.**

**Kim Dunlap**, 2812 6<sup>th</sup> Avenue South, ambassador for National USA Pickleball Association, commented that pickleball is the fastest growing sport in the United States, it went professional this year, all ages can participate, and it is great exercise. The hope of the local pickleball group is that at some point the City will have public, dedicated pickleball courts.

**Carol Kummer**, 3232 8<sup>th</sup> Avenue South, provided an informative packet regarding pickleball.

**Carol Bradley**, 1826 3<sup>rd</sup> Avenue North, echoed the comments of the two previous speakers. She added having pickleball courts is the next big step in the progress for Great Falls.

**Daniel Hartzell**, 2324 14<sup>th</sup> Avenue South, commented when he was growing up the VFW posts sponsored drum and bugle corps throughout the United States. He is proposing to present a similar program to the Board of Education for adolescents to participate.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, expressed safety concerns regarding pedestrians crossing from the parking lot to Calumet Refinery and not utilizing the crosswalks. He further discussed CodeRED evacuation notices sent in error.

Mayor Kelly responded that CodeRED issues were discussed in a training afterwards. There were some mistakes made, a lot of things learned from the exercise, and there is an opportunity to make corrections. He further noted that his phone number is on the City's webpage. He encouraged Mr. Gessaman to refer calls to him directly.

**NEIGHBORHOOD COUNCILS****2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from Neighborhood Councils.

**BOARDS & COMMISSIONS****3. APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT BOARD OF TRUSTEES.**

Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission appoint Max Grebe to the Business Improvement District Board of Trustees to a four-year term expiring June 30, 2020.

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.

**4. TRANSIT DISTRICT BOARD, BOARD MEMBER INTRODUCTIONS AND BOARD REPORT.**

Transit Board Chairman Carl Donovan introduced board members Ann Marie Meade, Laurel Gebo and Ken Johnson. Not present was board member Tim Braulick. Chairman Donovan reported that since 1982 Great Falls Transit has provided 15.5 million rides on its fixed routes. The average is between 35,000 – 39,000 passengers per month. Great Falls Transit also provides over 2,600 para-transit rides for the disabled per month. The total combined transit fixed route budget totals \$4.1 million per year, and over 80 percent of its budget is spent locally. Great Falls Transit has 50 employees with 42 of those employees being union members.

Chairman Donovan further reported that the Great Falls Transit's fixed route services decreases traffic congestion, increases traffic safety, decreases air pollution, and gets local citizens to work, recreational opportunities, medical services as well as improves the lives of those with limited transportation in Great Falls.

There are no current board openings. However, two positions will be up for election next year. The board conducts work sessions the fourth Monday and meets the fourth Wednesday of every month at its facility on North Star Boulevard.

The Commission presented the board members with Certificates of Appreciation recognizing them for the work 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 announced that the City sponsored a Northwest Planners Conference this past week. He thanked staff that participated.

He reported that the City has reached a resolution with New World/Tyler Technologies and will be commencing an 18 month separation period to allow for the City to coordinate with the County to find another software vendor for public safety.

He reminded the Commission that a Special Commission Meeting was scheduled for tomorrow night at 6:00 p.m. regarding a nuisance violation. There is a possibility that the issues may get resolved without the necessity of a meeting.

Public Works Director Jim Rearden briefed the Commission regarding last Tuesday's rainfall. There were rain gauges in the southern part of the City that recorded almost four inches of water in just the first storm. He discussed the various storm water detention ponds around the City that lessened the impacts of the storm. Director Rearden reported that the damage would have been more widespread without the improvements that were done to the system the past five years.

Manager Doyon noted that he isn't aware of any City facilities that were damaged by the storm. He is aware of private property damage. He announced to folks that are trying to recover from the storm damage that the City will do the best it can to work with them in terms of permitting and processing. The City needs to be made aware of what is going on to be in a position to help expedite that process of repairing their property.

Director Rearden added that the City is in the process of mapping the particular flooding/damage areas to do what it can in the near term to help mitigate problems in those areas.

Manager Doyon further announced that there is still robust use of cell phones while driving. He recommended that the Commission consider boosting the fines for violations. It continues to be an ongoing issue in this community and causes public safety problems. He suggested if the Commission wanted to pursue that under Commission Initiatives on the agenda, staff can come back with a proposal.

In response to Mayor Kelly's inquiry, City Attorney Sara Sexe commented that she has not been made aware of any program in place that first time cell phone offenders that purchase a blue tooth apparatus receive a discounted ticket.

**CONSENT AGENDA.****7. Minutes, August 2, 2016, Commission meeting.**

8. Total expenditures of \$2,953,122 for the period of July 14, 2016, through August 2, 2016, to include claims over \$5,000 in the amount of \$2,667,644.
9. Contracts list.
10. Grants list.
11. Set public hearing on Resolution 10157, Establishing a Reduced Speed School Zone for 25<sup>th</sup> Street South for September 6, 2016.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission accept the Consent Agenda as presented with the exception of Item 9A for separate discussion and vote.**

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, referred to Item 9A and commented if a mural is going to be put on the Library he would like it to be a reading child. With regard to Item 10A, he opined that local government should be paying for the items rather than applying for a State grant. Mr. Gessaman noted that the distance of the reduced speed in the agenda report for Item 11 is different than what is set forth in the attached letter.

There being no one further to address the Commission, Mayor Kelly called for the vote with the exception of Item 9A.

Motion carried 5-0.

Mayor Kelly reported that funds for the Library mural in Item 9A are from the Library Foundation.

Commissioner Burow questioned the wisdom of spending the money to put a mural on the outside of a building when the Library seems to have other needs the money could be for.

**Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission approve Item 9A, the Professional Services Agreement, as set forth in the agenda.**

Library Director Kathy Mora reported that she was approached early this year by a member of the Foundation Board with the idea of putting a mural on the outside of the building. After several months discussing what the content of the mural would be, they decided on Alma Smith Jacobs, to honor her and her legacy. The funds are coming from the Foundation and are funds that are designated for capital improvements for the Library.

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

**Steve Grout**, 2916 2<sup>nd</sup> Avenue North, commented that the Foundation saw an opportunity to

honor people and liven up downtown with an art project to be paid for with private money that was set aside for Library capital expenditures. He explained types of things the Library Foundation helps with.

**Peggy Tremper**, 53 Prospect Drive, commented that she serves with Mr. Grout on the Library Foundation Board. She clarified that the funds to be used was a designation in a gift to the Foundation. The Foundation is restricted in that it cannot use the money for any purpose other than capital expenditures.

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

Motion carried 4-1 (Commissioner Burow dissenting).

### **PUBLIC HEARINGS**

#### **12. BUSINESS IMPROVEMENT DISTRICT (BID) 2016/2017 BUDGET AND WORK PLAN.**

BID Community Director Joan Redeen provided an update of BID projects to include painting crosswalks in the alley behind Taco del Sol for the Roberts Park Playground and a call to artist went out for additional parking meter art to be installed in a permanent garden by the Northside Parking Garage.

Commissioner Bronson reiterated an inquiry by a downtown business owner asking about the state of the trees that are within the BID.

Director Redeen responded that as long as she has funding within the BID's budget, the BID will prune or replace trees within the district. If there are insufficient funds to care for trees within the budget, then it is up to the property owners to take care of it or wait until the BID's next fiscal year. She reported that the BID budgeted \$15,000 this fiscal year for tree maintenance and contracts with Tilleraas.

Mayor Kelly noted that on page 2 of the agenda report under fiscal impact it should read "... the Board has included the increased revenue from last Fiscal Year 2015/2016 of \$65,767."

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to the BID's 2016/2017 Budget and Work Plan.

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

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission accept the 2016/2017 Business Improvement District Budget and Work Plan.**

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

Commissioner Houck applauded the continued work that is done by the BID, and expressed kudos to Director Redeen, her crew of volunteers, and the Board of Directors. She reviewed the

many services provided by the BID.

Commissioner Bronson noted his support of the BID and commented that he wished more businesses took advantage of the programs it offers.

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

Motion carried 5-0.

**13. RENEWAL OF CEDAR TOWER CO. LLC (SPRINT) CELL SITE LEASE AGREEMENT.**

Public Works Director Jim Rearden reported that approval of this item would renew a lease agreement for cell phone antennas on the Ella Avenue water tower. The proposed lease is for 10 years with the option to renew in five year increments. The first year lease payment is \$15,660 with a three percent escalator per year. The tenth year payment will be \$20,432.74, and equates to about \$180,000 over the ten year period.

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to the renewal of Cedar Tower Co. LLC (Sprint) Cell Site Lease Agreement.

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

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission approve the lease agreement with Cedar Tower Co, LLC (SPRINT) on the City owned Ella water storage tank located in Clara Park, located in Block 6 of the Sunrise Terrace Addition.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. He asked staff to provide what the going rate is in other cities for this type of arrangement.

Mayor Kelly called for the vote.

Motion carried 5-0.

**14. ORDINANCE 3143, AMENDING TITLE 12, CHAPTER 24 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, PERTAINING TO RENAMING A STREET.**

Planning and Community Development Director Craig Raymond reported that in 2015 the City of Great Falls approved the annexation of the Thaniel Addition and Westridge Phases 7-11. Subsequent to that action, City staff became aware of a conflict in street names within the area that was annexed and existing areas of the City which have already been annexed and developed. It was recommended that a street name change was in order. According to the Official Code of the City of Great Falls, street names shall be changed by ordinance.

Ordinance 3143 approves changing "Choteau Avenue," east of Division road, to "Choteau Avenue Northeast." Renaming the street will provide uniformity and avoid inconsistencies in establishing addresses for the postal service and emergency personnel.

Mayor Kelly declared the public hearing open.

No one spoke in opposition to Ordinance 3143.

Speaking in support of Ordinance 3143 was:

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, commented there were no costs set forth in the agenda report, and he inquired who was going to pay for the changes to the street signage.

Director Raymond responded the City, and Mayor Kelly noted that the cost is \$29 per sign.

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

**Commissioner Houck moved, seconded by Commissioner Jones, that the City Commission adopt Ordinance 3143.**

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

Motion carried 5-0.

15. **RESOLUTION 10156, CONDITIONAL USE PERMIT TO ESTABLISH AN INSTRUCTIONAL FACILITY AT 821 10<sup>TH</sup> AVENUE SOUTHWEST.**

Planning and Community Development Director Craig Raymond reported that this item is a Conditional Use Permit request to allow the operation of an instructional dance studio located at 821 10<sup>th</sup> Avenue SW. The subject property is located on a wedge shaped parcel formerly occupied by a worship facility; it is surrounded by single family residences to the north, east, and south. Commercially zoned property can be found farther north along 6<sup>th</sup> Street SW as well as across the street to the west.

The most recent use of the property was a worship facility. Although the proposed use would be considered a non-conforming use due to its R-1 zoning designation, due to the fact that the previous use was also considered an existing non-conforming use, the code provides for similar but less intensive non-conforming uses to be established. In general, the code supports this type of use conversion provided the new use receives a conditional use permit approval.

The proposed instructional facility, a dance studio, would differ from the original use of the facility in regards to parking capacity, site improvements and hours of operation. No major exterior modifications of the building are planned at this time with the exception of a sign relocation on the west side of the building and a new ADA accessible doorway. The site plan submitted by the applicant shows turf grass provided as a buffer between the existing gravel

parking lot and the existing sidewalk. Boulevard trees are proposed along both 6<sup>th</sup> Street SW and 10<sup>th</sup> Avenue SW in this green boulevard. Parking spaces were demarcated by bumper blocks rather than painted spaces, and the applicant expressed a strong preference for keeping the gravel parking area initially, as opposed to the typical requirement for paved and striped parking.

An important fact to keep in mind when considering this application is that the subject property is found at the commercial edge of a residential neighborhood both in terms of zoning and aesthetic character. Staff finds that the proposed use is compatible with the existing, adjacent uses for the following reasons: 1) small square footage of the existing building, which will inherently limit impacts of the new use, and 2) location of the property along 6<sup>th</sup> Street SW, a commercial corridor connecting 10<sup>th</sup> Avenue SW and Central Avenue West.

The orientation of the existing building meets the approximate setbacks of the adjacent homes, and the existing parking lot fronts the commercial corridor rather than these homes. The proposal is viewed by staff as an appropriate reuse of a vacant commercial building, with less intensive parking demands than when the church operated on Sundays. Finally, when evaluating buildings originally purposed for non-residential uses, it's important to consider whether the building can easily be converted into a complying residential use that conforms to zoning. Because of the building's original non-residential purpose, staff believes that a small-scale, non-residential use oriented towards a commercial corridor is a reasonable approach to re-use the building.

Additionally, staff finds that approval of the application meets the review criteria established in OCCGF 17.16.36.040 - Basis of Decision, in that:

- 1. The conditional use is consistent with the City's Growth Policy and applicable neighborhood plans, if any.*
- 2. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.*
- 3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*
- 4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
- 5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.*
- 6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
- 7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.*

At the conclusion of a public hearing held on July 12, 2016, the Zoning Commission recommended that the City Commission approve the CUP to establish an instructional facility on the subject property subject to the conditions of approval.



Mayor Kelly declared the public hearing open.

No one spoke in opposition to Resolution 10156.

Speaking in support of Resolution 10156 was:

**Brad Barringer**, 1008 Adobe Drive, commented that he is purchasing the property for the purpose of his daughter operating a dance studio. Their intent is to be a good neighbor. He believes there is a lot they can do to be a good partner in that neighborhood.

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

**Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10156.**

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

Commissioner Bronson inquired of Mr. Barringer's plans in the interim while the parking lot remains gravel.

Mr. Barringer commented that the weeds will be killed, new sod, and a handicap accessible site that involves a hard surface.

Commissioner Burow noted the recent flooding and commented that the gravel parking lot may help the water seep into the ground rather than run off.

Public Works Director Jim Rearden concurred, adding that a lot of the trends across the country are using low impact development standards.

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

Motion carried 5-0.

**16. RESOLUTION 10158, CONDITIONAL USE PERMIT TO CONSTRUCT A VEHICLE REPAIR FACILITY AT 800 CENTRAL AVENUE.**

Planning and Community Development Director Craig Raymond reported that this item is consideration of Resolution 10158, a Conditional Use Permit, to allow the establishment of a vehicle repair facility located at 800 Central Avenue.

The applicant, Lithia Motors, is seeking to relocate its existing Subaru franchise from 26 9th Street South (just southeast of the site) to the subject property at 800 Central Avenue. The existing historic structure on the subject property is a showroom that was built in 1928, and it is a contributing building to the Central Business Historic District as recognized through the National Register of Historic Places.

The applicant is proposing demolition and new construction of a modern designed building in order to accommodate vehicle repair and sales activity in a single structure. The applicant asserts that the existing building cannot be preserved due to a "significant amount of structural damage and costly repairs required." Given the significance of the prospect of losing yet another contributing building in the historic district, City staff has made considerable efforts to try and encourage Lithia Subaru to propose a design that at least acknowledges the unique and enduring qualities that a historic district brings to a community. The City adopted a Downtown Master Plan that, amongst other things, supports economic development through historic preservation.

The subject property is located amongst a mix of one and two-story commercial structures built up to the sidewalk. Street trees and period lighting are a consistent visual character up and down Central Avenue. Vehicle sales are permitted in the C-4 zoning district, whereas vehicle repair is permitted in this zoning district only through the conditional use process. It is important to note that a vehicle repair land use owned by Lithia Motors already exists in close proximity to the subject property and operates as a legal, non-conforming use.

Although staff and some members of the Zoning Commission have significant concerns about the proposed building architecture, evaluation of the proposed use is a completely separate question. Staff finds the proposed use is compatible with the existing, adjacent uses for the following reasons: (1) presence of existing vehicle repair and vehicle sales within several blocks of the property; (2) the location of the property is east of the 700 block of Central Avenue. Along this section of Central, the character of the C-4 zoning district changes from one dominated by multi-story buildings filling out the street block to a mix of building heights as well as a sprinkling of surface parking lots. In areas east of the 700 block, vehicle repair activities are more compatible; and, (3) previous use within the existing structure of vehicle repair activity.

Additionally, staff finds that approval of the application mostly meets the review criteria established in OCCGF 17.16.36.040 - Basis of Decision, in that:

- 1. The conditional use is consistent with the City's Growth Policy and applicable neighborhood plans, if any.*
- 2. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.*
- 3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*
- 4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
- 5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.*
- 6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
- 7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.*

At the conclusion of a public hearing held on July 26, 2016, the Zoning Commission recommended that the City Commission approve the CUP to establish a vehicle repair facility on the subject property subject to the conditions of approval.

Mayor Kelly declared the public hearing open.

Speaking in support of Resolution 10158 were:

**Nick Oswood**, 508 Kinglet Court, project manager for Oswood Construction Company, displayed and discussed pictures of the proposed new modern facility, as well as pictures of the current building and explained that it cannot be saved and is proposed to be demolished. He also provided a structural report from their engineer detailing the structural failure of the building and that it cannot be saved. He understands that City staff does not like what is being proposed because the new building doesn't have brick. City staff would like a building that is an historic replica and that adds certain character to downtown. Mr. Oswood commented that the neighboring buildings around the project are not really historic in nature except the Masonic Temple. They think the proposed building fits in with the neighborhood.

Mr. Oswood reported that this project was approved by the Design Review Board and the Planning Advisory Board. It is before the Commission because of one quirk. Even though this building has had mechanics in it, it is now in a zone that does not technically allow that without a CUP. He pointed out that there are already mechanics in the building next door on Lithia's property.

**Doug Oswood**, 401 Fox Drive, pointed out that he has been a member of this community since 1973. He has seen great strides and negative strides by this City. He has done a lot of work in this state. To some degree he gets a negative response on some of this community's projects.

Lithia is willing to invest in coming downtown. This is a good example of reviving this community and making it a good place for people to come downtown. He suggested the City not project a negative when people bring about new companies and industry to town.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, commented that he doesn't have an opinion about this project because he doesn't know anything about it. He suggested public use of PowerPoint.

No one spoke in opposition to Resolution 10158.

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

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 10158.**

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

Commissioner Bronson pointed out that what is before the Commission this evening is whether or not to approve a Conditional Use Permit to allow vehicle repair activities. In the future he would like to see developers locating in the downtown to consider the historic nature of

downtown. Further, he would like staff to recommend certain design guidelines for the downtown area that would be appropriate for this type of situation.

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

Motion carried 5-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

### **ORDINANCES/RESOLUTIONS**

17. **ORDINANCE 3144, AMENDING TITLE 13, CHAPTER 12, SECTION 030 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS PERTAINING TO THE INDUSTRIAL PRETREATMENT PROGRAM AND PROHIBITED DISCHARGES AND LIMITATIONS.**

Public Works Director Jim Rearden reported this item will modify City ordinance which defines copper and selenium local limits that are applied to industrial discharges to the City's sanitary sewer system. The local limits are being adjusted to reflect the City's water quality discharge permit which has been modified since the current limits were adopted. The proposed local limits protect the most stringent water quality standards. Staff believes all current industrial users will be capable of complying with their respective allocations. The EPA will provide public notice of the revised limits after the City Commission adopts the revised ordinance.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3144 contingent upon EPA approval of the proposed program modification as submitted.**

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, expressed opposition to increased limits, and would like to maintain the restrictions on the industrial users with regard to copper in the City's sewer system.

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

Motion carried 5-0.

18. **RESOLUTION 10152, ANNUAL TAX LEVY.**

Fiscal Services Director Melissa Kinzler reported the City received the taxable valuation for the City of Great Falls from the Montana Department of Revenue on July 29, 2016. Accordingly, the City can now compute and set its annual mill levy. During the budget process the City's newly taxable property revenue was estimated to be \$135,610. The actual newly taxable revenue from the Department of Revenue is \$876,206. This amount of newly taxable revenue may mean the City has significantly more revenue than projected. However, due to property assessment

appeals and abatement requests, the City may not definitely know how much of this new projected tax revenue will be available until after the appeals and tax abatements are processed.

The total mills for this fiscal year are 198.24 mills, which includes 167.26 mills for the general fund, 26.14 mills for the permissive medical levy, and 4.84 mills for the soccer park and swimming pool debt service payments.

The Fiscal Year 2016 budget was adopted July 19, 2016. Setting the mill levy is the last step in the process.

**Commissioner Jones moved, seconded by Commissioner Houck, that the City Commission adopt Resolution 10152.**

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, reviewed numbers in the resolutions and commented he would like to see a reduction in the mill levy because Social Security participants cannot afford increased taxes.

Commissioner Houck respectively disagreed with certain comments made by Mr. Gessaman. The City does listen to the public, and is being proactive rather than reactive.

Commissioner Bronson noted that he and Mayor Kelly sit on the board for the Montana League of Cities and Towns. In listening to colleagues from around the state, the City of Great Falls seems to be in much better shape. He suggested that if somebody doesn't like the system being used, they should take their case to the Montana Legislature. Legislators have decreed how local governments are to raise its money, which is relied almost exclusively on the property tax.

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

Motion carried 5-0.

### **CITY COMMISSION**

#### **19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Bronson announced that he attended the prayer breakfast in Mayor Kelly's place and presented Bishop Porter with a key to the City of Great Falls for what he has done for this community and encouraging his church to be proactive and supportive in the community.

Mayor Kelly announced that the Mehmke Steam Tractor Museum located east of Great Falls will be open to the public August 27-28, 2016.

He thanked the Great Falls Downtown Association for the successful Music on the Mighty Mo events this summer.

Commissioner Houck announced that on her recent trip to Pittsburgh she learned that people are

fined \$55 for parking two minutes past two hours.

She also announced that tomorrow is National Black Cat Appreciation Adoption Day at the Great Falls Animal Shelter and cats can be adopted for \$10.

**20. COMMISSION INITIATIVES.**

Mayor Kelly asked staff to work with the BID or the downtown merchants to consider what it would take to place public bathrooms or porta-potties downtown. No Commission member objected.

Commissioner Bronson suggested staff look at the issue of cell phone use while driving and present the Commission with alternatives. No Commission member objected.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Jones moved, seconded by Mayor Kelly, to adjourn the regular meeting of August 16, 2016, at 8:46 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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City Clerk Lisa Kunz

Minutes Approved: September 6, 2016