

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, Tracy Houck and Fred Burow. Also present were City Manager Greg Doyon; Deputy City Clerk Darcy Dea; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Fiscal Services Director Melissa Kinzler; Assistant City Attorney Joe Cik; and, Police Chief Dave Bowen.

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

**PROCLAMATIONS:** Mayor Kelly read a proclamation for Extra Mile 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.**

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, provided and read an email from Calumet's Senior Environmental Specialist Ray Martinich. Mr. Gessaman expressed concern about the lack of notification by Calumet with regard to an issue with a storage tank.

**Daniel Hartzell**, 517 7<sup>th</sup> Street South, commented that forming the youth choir drum and bugle corps is on hold. With regard to the use of proper English rather than slang, Mr. Hartzell requested that the Commission attend the School Board meeting on November 14.

**Pam Hendrickson**, 1321 5<sup>th</sup> Avenue North, received clarification with regard to the status of the firework ordinance. She expressed opposition with regard to any consideration of the City taking over the MacLean Animal Adoption Center (MAAC). She further noted that the Animal Foundation should raise the funds to run it, and that it should not be a tax payer issue.

**Christian McClelland**, 1122 4<sup>th</sup> Avenue NW, expressed concern with regard to the amount of money that the MAAC used for its building. She suggested that it is the Commission's fiduciary responsibility to the citizens of Great Falls to say "no" to the MAAC.

Mayor Kelly responded that the October 18 work session discussing the MAAC is available on the City web page. He explained that more information needs to be obtained before taking any action.

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

There were no miscellaneous reports and announcements from Neighborhood Councils.

**BOARDS & COMMISSIONS****3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

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

**CITY MANAGER****4. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported that members of the 120<sup>th</sup> Airlift Wing have been deployed.

With regard to comments made about the MacLean Animal Adoption Center (MAAC), Manager Doyon commented that he would inquire about its operational philosophy and long term fundraising plan. Manager Doyon further noted that he will make a recommendation to the City Commission when he receives more information from the MAAC.

Public Works Director Jim Rearden announced that the American Council of Engineering Companies (ACEC) will present the Montana Grand Project Award to Thomas Dean & Hoskins at the Joint Engineers Conference in Helena on November 3<sup>rd</sup> for its work on the multi-use Athletic Field and Intermittent Storm Water Detention Pond project.

Commissioner Burow commented that he needs more information before making a decision with regard to the MAAC's proposal.

Manager Doyon also reported that he attended his first meeting of the State Emergency Response Commission (SERC).

**CONSENT AGENDA.**

5. Minutes, October 18, 2016, Special Commission meeting, City Manager Annual Review.
6. Minutes, October 18, 2016, Commission meeting.
7. Total Expenditures of \$4,012,859.25 for the period of October 1, 2016 through October 19, 2016 to include claims over \$5000, in the amount of \$3,713,190.44.
8. Contracts list.

9. Approve agreement with National Joint Powers Alliance (NJPA) and award purchase of one new 2017 Sewer TV Truck in the amount of \$173,654.14 to Normont Equipment through NJPA and authorize the City Manager to execute the contract documents.
10. Approve bid award for one new 2017 Kenworth T370 tandem axle dump truck to Motor Power Great Falls, Inc. for \$105,965.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda 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, referred to the October 18 Commission Meeting Minutes, Item 6, and noted that page 207 of the minutes should read, “crosswalks instead of sidewalks.”

With regard to Item 9, Mayor Kelly commented that the NJPA Purchasing Agreement seems to be working out.

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

Motion carried 5-0.

### **PUBLIC HEARINGS**

11. **ORDINANCE 3146, AMENDING TITLE 10, CHAPTER 39, SECTION 110 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO THE PENALTY FOR THE USE OF ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING A MOTORIZED VEHICLE OR A BICYCLE.**

Assistant City Attorney Joe Cik reported that Ordinance 3146 had been presented at the September 20 Work Session and October 18 City Commission Meeting. He further reported about statistics from the Computer Support Group Network. Assistant City Attorney Cik commented that distracted driving is a public safety issue. He noted that the current fines have not been a deterrent.

Mayor Kelly declared the public hearing open.

No one spoke in support of Ordinance 3146.

Speaking in opposition to Ordinance 3146 were:

**Jeremy Trebas**, 2509 7<sup>th</sup> Avenue North, read his written communications pertaining to his Citizen Requests numbers: 37061 and 37521 to the City Commission opposing Ordinance 3146.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, expressed concern with regard to the current Ordinance

clearly defining what Police Officer's have to enforce. Mr. Gessaman opined that increasing the fines would not work.

Written communication in opposition to Ordinance 3146 was received from Jeremy Trebas via Citizen Request numbers: 37061 and 37521 and Ronda Wiggers, Citizen Request number 37501.

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

**Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission adopt Ordinance 3146.**

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

Commissioner Bronson discussed electronic communication studies and statistics. He noted that as a society, a statement against the use of electronic communication devices while operating a motorized vehicle needs to be made.

Commissioner Houck concurred with Mr. Gessaman's statement with regard to the current Ordinance. Commissioner Houck expressed concern with regard to how the punishment from implementing cell phone bans could affect the impact of economics to working families.

Commissioner Jones commented that the fines imposed are at the discretion of the Judge.

Commissioner Burow relayed a message that he had received from a concerned citizen with regard to the police use of cell phones. Commissioner Burow commented that the standard is high for law enforcement and elected officials to set an example. He encouraged signage and utilizing the Great Falls Public Schools to educate the community. Commissioner Burow expressed support of Ordinance 3146.

Mayor Kelly concurred with Commissioner Burow with regard to the need for aggressive education in the Public Schools and signage. He requested that the SRO Officers convey to the Driver's Education teachers that the City wants to be involved in any discussion with Driver's Education students as much as they want.

Mayor Kelly called for the vote.

Motion carried 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**CITY COMMISSION**

12. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Bronson acknowledged the Garden Club for their volunteer support in the community.

Mayor Kelly commended the Great Falls Police Department with regard to its response to the dangers that the community faces.

13. **COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Jones, to adjourn the regular meeting of November 1, 2016, at 7:56 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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Deputy City Clerk Darcy Dea

Minutes Approved: November 15, 2016