

## JOURNAL OF COMMISSION PROCEEDINGS

January 2, 2018

Regular City Commission Meeting  
Commission Chambers Room 206

### CALL TO ORDER 7:00 P.M.

### PLEDGE OF ALLEGIANCE

### ROLL CALL/STAFF INTRODUCTIONS

City Commission members present: Bob Kelly, Mary Moe, Tracy Houck, Bill Bronson and Owen Robinson. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Finance Director Melissa Kinzler; Human Resources Director Gaye McInerney; Park and Recreation Director Steve Herrig; 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.

### SWEARING IN

Swearing In - Neighborhood Council Members.

Mayor Kelly performed the swearing in ceremony for Zach Angstead, Neighborhood Council 1; Sueann Strickland, Neighborhood Council 2; Kathleen Gessaman, Neighborhood Council 3; Darrell Beauchamp, Neighborhood Council 6; Karen Grove, Michael Wm. Brainard and Barbara Going, Neighborhood Council 8.

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

## PETITIONS AND COMMUNICATIONS

### 1. Miscellaneous reports and announcements.

**Brett Doney**, Great Falls Development Authority (GFDA), 300 Central Avenue, extended an invitation to attend the Ignite Great Falls 2018 kickoff on January 19th at the Meadowlark Country Club. He encouraged the Commission to nominate female-owned businesses for the Fire Within Awards. Mr. Doney reported that the Peak Fitness Center at West Bank Landing was now open, and that the additional 72 units at the Talus Apartments have been occupied.

## NEIGHBORHOOD COUNCILS

### 2. Appointments, Great Falls Citizen's Council (Council of Councils).

**Mayor Kelly moved, seconded by Commissioner Bronson, that the City Commission appoint Commissioner Robinson and Commissioner Moe to serve on the Great Falls Citizen's Council also known as Council of Councils for the January 31, 2018 meeting; appoint Mayor Kelly and Commissioner Houck to serve on the Council for the May 22, 2018 meeting; and appoint Commissioner Bronson to serve on the Council for the October 23, 2018 meeting.**

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

Commissioner Houck reported that she would be unable to attend the May 22nd meeting.

Mayor Kelly requested that Commissioner Houck attend the October 23rd meeting and that Commissioner Bronson would attend the May 22nd meeting.

Commissioner Bronson stipulated to the amendment.

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

Main Motion, with amendments carried 5-0

3. **Miscellaneous reports and announcements from Neighborhood Councils.**

There were no miscellaneous reports and announcements from representatives of Neighborhood Councils.

Mayor Kelly extended an invitation to representatives of Neighborhood Councils to present at the work sessions.

## **BOARDS AND COMMISSIONS**

4. **Appointment, City-County Board of Health.**

**Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission appoint Commissioner Robinson to the City-County Board of Health as the Mayor's representative, effective January 2, 2018.**

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

Commissioner Robinson expressed support with regard to his appointment.

Mayor Kelly thanked Commissioner Bronson for his years of service.

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

Motion carried 5-0

5. **Appointments, Ethics Committee.**

**Commissioner Sheehy Moe moved, seconded by Commissioner Bronson, that the City Commission appoint Carl Rostad for an initial three year term, appoint Carmen Roberts for an initial two year term and appoint Katrina Stark for an initial one year term to the Ethics Committee.**

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

Commissioner Moe commented that she was impressed with the diversity of the four Candidates.

Mayor Kelly echoed Commissioner Moe's comments and pointed out that the Candidates' applications were available on the City website.

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

Motion carried 5-0

6. **Final Plat of West Ridge Addition Phase VIII, previously known as Peretti Addition Tract 2, located in the SE ¼ Section 26, Township 21 North, Range 3 East, PM, City of Great Falls, Cascade County, MT.**

Planning and Community Development Director Craig Raymond reported that this is a request to approve or deny the final plat of Westridge Phase 8. The subject property is located along the northern edge of the City of Great Falls, north of 41st Avenue NE and west of 2nd Street NE. The subject property consists of 4.91 acres.

Director Raymond explained that the applicant is proposing to proceed with Phase VIII of West Ridge Addition which will include 2-unit townhomes as well as single family homes. This phase would create 18 lots for townhomes as well as dedicate part of Choteau Avenue Northeast and 2nd Street Northeast. The lots on the approved preliminary plat for the western portion of Phase VIII would range in size from 8,385 square feet to 8,439 square feet. Phase VIII also contains two single family lots that are approximately 11,000 square feet to the east of 2nd Street Northeast. The approved preliminary plat is consistent with the zoning which was recently amended by the City Commission to Planned Unit Development (PUD) in order to accommodate this mix of residential uses.

As with the previous phases of Westridge, Director Raymond reported that the developer is required to construct the necessary infrastructure and utilities that will serve the development. These improvements shall be installed at the Owner's expense in accordance with the requirements of the Official Code of the City of Great Falls (OCCGF) and the governing Improvement Agreement previously approved by the City Commission and Developer. Assuming City Commission approval, the project developer will be required to provide financial surety acceptable to the City for the improvements to be constructed, which include:

Roadways - The Owner proposes to connect Phase VIII of the subject property to existing City roadways by extending 2nd Street Northeast to the limits of Phase VIII and dedicating Choteau Avenue Northeast. It is recommended that the west end of Choteau Avenue have a temporary, gravel-surfaced cul-de-sac turnaround installed. An easement may be required from the owner of

Thaniel Addition for the turnaround. Boulevard style sidewalks will be constructed along each lot frontage at the time of home construction, and will connect to the existing sidewalk network.

Utilities: The on-site improvements required for the development of the subject property shall be installed as shown on the final construction plans that are submitted to, and approved by the Public Works Department. The on-site improvements shall include everything required to provide water, sanitary sewer, stormwater management. The Improvement Agreement for West Ridge Addition, Phases VII – XI, outlines the Owner’s permanent and temporary stormwater management requirements in sections 12.4 and 20. The Owner has worked with the City Public Works and Planning and Community Development Departments and the developer of Thaniel Addition for the general location of a future regional stormwater management facility immediately north on an adjacent property. This facility will be designed and installed at a later date. In the meantime, the Owner will be required to provide temporary stormwater management facilities.

Director Raymond explained that the basis for decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrate that development of the proposed subdivision meets the requirements of Mont. Code Ann. (MCA) § 76-3-608. The governing body shall issue written findings of fact that weigh the criteria in of (MCA) § 76-3-608 (3).

Director Raymond reported that at the conclusion of a public hearing held on December 12, 2017, the Planning Advisory Board recommended the City Commission approve the Final Plat of West Ridge Addition Phase VIII, subject to the fulfillment of the following Conditions of Approval as outlined in the agenda report which are consistent with the preliminary plat conditions of approval.

**Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission approve the final plat of West Ridge Phase VIII as legally described in the staff report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.**

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

Mayor Kelly pointed out that approving the final plat would increase lots, which increases the City's tax base, as well as revenue.

7. **Miscellaneous reports and announcements from Boards and Commissions.**

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

Mayor Kelly reported that a list of advisory boards had been circulated to the Commission, and explained that the Commission could informally indicate which boards they would want to be a part of.

**CITY MANAGER**

8. **Miscellaneous reports and announcements from the City Manager.**

City Manager Greg Doyon reported that Disaster & Emergency Services Manager Dave Nordel would be taking a new position in Billings at the end of the month, and thanked him for his experience that he brought to the position.

Manager Doyon reported that there would be a swearing-in ceremony for new police officer, Clayton Henderson, on January 3rd in the Commission Chambers.

Manager Doyon requested that the Commission provide different ideas that could help make presenting the budget more interesting.

There was a quarterly update with the City County Health Department.

Manager Doyon reminded citizens that it is illegal to dump the snow into the streets. He expressed appreciation to the departments that have to work outside in the cold.

**CONSENT AGENDA**

9. Minutes, December 19, 2017, City Commission Meeting.
10. Contracts List.
11. Total Expenditures of \$3,362,200 for the period of November 30, 2017 through December 20, 2017, to include claims over \$5,000, in the amount of \$1,754,028.
12. Reschedule Commission Meeting Date from November 6, 2018 to November 7, 2018.
13. Approve the declaration of equipment as surplus.
14. Approve the purchase of one new 2018 Autocar ACX64 tandem axle truck with new Heil PT 1000 25-yard rear load refuse packer to Kois Brothers Equipment Company Inc., of Great Falls for \$218,900, including trade-in, through NJPA (National Joint Powers Alliance).

15. Approve Final Payment for the Miscellaneous Drainage Improvements NW Side Alleys Phase 1, in the amount of \$50,652.16 to Geranios Enterprises LLC, and \$511.64 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF**  
**1666.3**
  
16. Approve Professional Services Agreement with Robert Peccia & Associates in the amount of \$95,860, for the preparation of the Great Falls Area Long Range Transportation Plan Minor Update. **OF**  
**1661.2**
  
17. Award a contract in the amount of \$565,000.00 to Planned and Engineered Construction Inc. (PEC) for the Sanitary Sewer Trenchless Rehabilitation, Phase 20, and authorize the City Manager to execute the construction contract documents. **OF**  
**1674.6**

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

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

Referring to item 13, Commissioner Robinson inquired if City employees or Commissioners could bid on surplus equipment.

Assistant City Attorney Cik responded that if a bid was open to the public, there would not be a conflict, however it would be best practice not to.

Referring to item 16, Mayor Kelly reported that the \$95,860 would be paid for by Federal Transportation Funds. Referring to item 12, he explained that there is a general election on November 6th. With regard to Item 10E, Mayor Kelly reported that the increase was a modification.

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

Motion carried 5-0

## **PUBLIC HEARINGS**

18. **Resolution 10219, Conditional Use Permit for a “Construction Material Sales” land use upon the property at 1800 Northwest Bypass.**

Planning and Community Development Director Craig Raymond reported that this item is a request to conduct a public hearing to consider the adoption of Resolution 10219 and to approve a Conditional Use Permit (CUP) for the establishment of a construction material sales use at the subject property. The subject property is located at 1800 NW Bypass, which is on the South side of Northwest Bypass and west of Watson Coulee Road.

Director Raymond reported that R&S Roofing Supply is proposing to utilize the property to construct a 10,000 square foot building to be used for the sale of construction materials. There are currently two buildings and a telecommunications tower located on the property. One of the existing buildings is used for storage and the second is used for office space. The applicant wishes to keep the two existing buildings, add the new building, and remove the tower structure. According to the Official Code of the City of Great Falls (OCCGF) §17.64.020, “a non-conforming nonresidential use may also be changed to another nonconforming use, or may be increased or expanded, through a conditional use permit procedure.” In this case, the applicant is requesting a CUP to change the nonconforming tower use to another nonconforming use listed in the ordinance – a “Construction Material Sales” building. The underlying zoning on the property is M-2 Mixed Use Transitional which is why this particular use requires the CUP. The proposed use appears to be a good fit for the property and surrounding area with appropriate infrastructure to serve the proposed use and additional buildings.

Director Raymond explained that the basis for decision for a CUP is listed in the OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, Zoning Commission recommendation, or additional information demonstrates that the decision of the City Commission shall at a minimum consider the criteria which are included in the agenda report.

At the conclusion of a public hearing held on November 28, 2017, the Zoning Commission recommended the City Commission approve the CUP, subject to the fulfillment of the following Conditions of Approval and as outlined in the agenda report:

1. General Code Compliance: The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies. City Commission Meeting - January 2, 2018 Page 98 of 173.
2. Changes in Use: Conditional Uses are regulated as such because they may, without conditions, have negative and/or offsite impacts. Therefore, a significant change in the character or intensity of use may void the CUP. Proposed changes should be reviewed with the Administrator, who may require that the Permit be amended following the same public process used for its adoption.
3. Expiration: The CUP shall expire one year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion.
4. Abandonment: If a conditional use is established, but ceases to operate for more than six months, the CUP shall expire.
5. Design Review Board Process: The applicant shall submit the proposed project to City Staff for review by the Design Review Board and shall be subject to the Design Review Board's recommendations.
6. Right of Way: The driveway approach to Watson Coulee Road must meet current City Code requirements and design standards. If a sidewalk is ever to be installed along the west side of Watson Coulee Road, the owner shall cover the cost of sidewalk along the frontages.

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to Resolution 10219.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City**

**Commission adopt Resolution 10219, subject to the applicant fulfilling the listed Conditions of Approval.**

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

Motion carried 5-0

19. **Resolution 10220, Conditional Use Permit for a “Contractor Yard, Type II” land use upon the property at 611 8th Avenue North.**

Planning and Community Development Director Craig Raymond reported that this item is a request to conduct a public hearing and to consider the adoption of Resolution 10220 and to approve a Conditional Use Permit (CUP) for the formal and legal establishment of a contractor yard type II. The subject property is located at 611 8th Avenue North, which is on the north side of 8th Avenue South and East of 6th Street North.

Director Raymond reported that M&D construction has been operating at the property for several years. Over the years however, the use of the property has changed and expanded. Earlier this year, the City received a complaint about the activity from a resident located in the neighborhood to the south. Although the property had traditionally been used for construction businesses for many years, it is the expansion of that use that requires a formal review and approval of a CUP. Director Raymond explained that after receiving the complaint, staff met with the applicants to discuss what property improvements would be necessary for the requested Conditional Use to be considered compatible with the residential environment located to the south of 8th Avenue North. The lots in the neighborhood are zoned R-9 Mixed Residential while the area to the north of 8th Avenue North is zoned Mixed-Use Transitional. There is a very clear break in land use activity between the residential uses to the south of the avenue and the generally industrial uses to the north of the avenue.

Director Raymond explained that in order to soften the transition between the existing contractor yard and this residential environment, planning staff worked with the applicant to propose improvements such as decorative fencing, berming, landscaping, and appropriate access and parking. The applicant has been cooperative with staff and has embraced the effort to be good neighbors to the nearby residential area and parks.

The basis for decision for a CUP is listed in the Official Code of the City of Great Falls (OCCGF) §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, Zoning Commission recommendation, or additional information demonstrates that the decision of the City Commission shall consider the criteria which are included in the agenda report.

Director Raymond reported that at the conclusion of a public hearing held on November 28, 2017, the Zoning Commission recommended the City Commission approve the CUP, subject to the fulfillment of the following Conditions of Approval and as outlined in the agenda report:

1. General Conditions of Compliance: The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.



2. Changes in Use: Conditional Uses are regulated as such because they may, without conditions, have negative and/or offsite impacts. Therefore, a significant change in the character or intensity of use may void the CUP. Proposed changes should be reviewed with the Administrator, who may require that the Permit be amended following the same public process used for its adoption.
3. Expiration: The CUP shall expire one year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion.
4. Abandonment: If a conditional use is established, but ceases to operate for more than six months, the CUP shall expire.
5. Future Lighting: Any future lighting modifications shall be reviewed by City Planning Staff before installation.
6. Site Plans: A detailed Site Plan showing all improvements including parking, fencing, berming, and landscaping shall be submitted to the City within thirty days of approval of the permit by the City Commission. The design and installation of the improvements, including maintenance of, must be approved by the City prior to installation.
7. Expiration of Improvements Installation: All submitted improvements to the property including parking, berm, landscape, and fencing improvements shall be installed by the applicant and inspected by City Staff by July 1, 2018, or the permit shall be null and void.
8. Alley: No rolled millings be placed within the alley and that the alley not be gated off where it dead ends into the property site.
9. Shared Property Line with City: The sanitary sewer manhole on the northwest corner of the site shall be left unobstructed by the berm. Also, the approach at the southwest property corner shall continue to allow access to the City-owned parcel to the west.
10. Right of Way: New curbs, sidewalk, driveway, etc. shall be to current City Code requirements. The applicant or applicant's contractor shall adhere to the standard permit process for this work and the curb replacement shown on the plans.

Mayor Kelly declared the public hearing open.

Speaking in support of Resolution 10220 were:

**Spencer Woith**, 1725 41st Street South, Woith Engineering, representing the applicant, provided a handout that showed what the landscaping in the berm would look like. Mr. Woith reported that the landscaping and screening would help with the visual aspect of hiding the construction yard, and that the applicant would make improvements to the sidewalks. Mr. Woith concluded that other mixed uses could generate larger amounts of daily traffic than the construction yard.

**Rhett Hulett**, 814 7th Street North, owner of M&D Construction, commented that he is working with the neighbors with regard to lighting and aesthetics and that he wants to be a positive part of the neighborhood.

**Brett Doney**, Great Falls Development Authority (GFDA), 300 Central Avenue, commented that M&D Construction has been a wonderful community member for 30 years, and that the improvements would be a positive improvement to the industrial-commercial area.

Speaking in opposition to Resolution 10220 were:

**Anders Blewett**, 225 3rd Avenue North, expressed opposition to the Conditional Use Permit, as well as M&D Construction operating in violation of the zoning Ordinance. Mr. Blewett further expressed concern with regard to previous zoning regulations.

**Andrea Blewett**, 324 4th Avenue North, expressed concern whether a berm would suffice with blocking the view, as well as the number and tonnage limit of trucks in the construction yard.

**Myrl Nardinger**, 812 13th Street North, commented that there was a big difference between a Contractor Yard Type II land use and an M-2 Mixed use. Mr. Nardinger expressed concern with regard to property values being affected, as well as the berm not being tall enough to block the view of the semi trucks.

**Zander Blewett**, 324 4th Avenue North, concurred with Mr. Nardinger's comment that a Contractor Yard Type II land use was a massive change from a M-2 Mixed use.

**Barb Walden**, 703 Park Drive, opined that M&D Construction would not be a good fit for the Great Falls Original Townsite. She expressed concern with regard to allowing a construction yard to operate in the Original Townsite increasing property taxes, as well as safety concerns.

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

**Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission deny Resolution 10220.**

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

Commissioner Bronson commented that the applicant had made an effort to come into compliance with the appropriate requirements of the Land Development Code, however granting a Conditional Use Permit (CUP) would not be consistent with the City's Growth Policy.

Commissioner Bronson explained that a CUP must establish that it would not be detrimental to the public, injurious, impede normal and orderly development of the surrounding properties. He commented that those requirements have not been established by M&D Construction. Commissioner Bronson further explained that an appropriate ingress and egress have not been established. He expressed concern with regard to the intersection handling more and larger vehicles, as well as allowing uses bordering on an Industrial area having a negative effect on Gibson Park.

Commissioner Moe expressed concern that the proposal advanced through the Planning and Zoning Commission, as well as Neighborhood Council. She expressed the same concerns that Commissioner Bronson had outlined. Referring to Mr. Nardinger's comment that M&D is attempting to be a good neighbor, Commissioner Sheehy Moe commented that there is not a guarantee that M&D would be at that location forever.

Commissioner Robinson commended Mr. Woith with regard to the improvements that have been made in that area, and Mr. Hulett for building the M&D Construction Company. He expressed concern that eventually M&D Construction would out grow the current location. Commissioner Robinson commented that he was impressed with Neighborhood Council's involvement with the proposal.

Commissioner Houck received clarification that if the CUP was denied, M&D Construction would either have to move to another location or scale back to a legal non conforming use. She further received clarification that M&D Construction would be given a reasonable amount of

time to move, and that nothing would be done to the property until someone proposed a redevelopment of it. Commissioner Houck inquired if the motion could be tabled at this point.

Commissioner Robinson received clarification that it would be a legal non-conforming if M&D stored their equipment elsewhere, and continued to operate at the location.

Mayor Kelly explained that the City has a responsibility to the citizen that launched the complaint, however he expressed concern with regard to the heavy traffic that is in that neighborhood.

Responding to Commissioner Houck's inquiry to table the motion, Mayor Kelly announced that the motion was made to deny the CUP.

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

Motion carried 5-0

## **OLD BUSINESS**

## **NEW BUSINESS**

### **20. Agreement Between City of Great Falls and Montana Public Employees' Association, Inc. (MPEA)**

Human Resources Director Gaye McInerney reported that the City and Montana Public Employees' Association (MPEA) completed the negotiations process for a new two year contract period from July 1, 2017 through June 30, 2019. The City employs 77 MPEA members across its work force to include the following departments; Police, Fire, Finance, Planning and Community Development, Park and Recreation, Public Works, Library, Municipal Court, Great Falls Housing Authority and Neighborhood Council.

Director McInerney further reported that negotiations began on July 24, 2017 and that a consensus was reached on December 20, 2017. Members of the negotiating team worked to update basic contractual language in order to make the Agreement more clear, understandable, and consistent.

**Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission approve the labor agreement between the City of Great Falls and the Montana Public Employees' Association, Inc.**

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

Mayor Kelly inquired about the number of full time employees. Director McInerney responded that she would provide the number later. Mayor Kelly received clarification that Longevity Pay is new to this contract, however it is coinciding with the other contracts that were negotiated for this year.

Commissioner Bronson commended Staff and Union members for the time and effort that was put into negotiating the contract.

Commissioner Robinson commented that negotiations are more respectful now than they use to be.

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

Motion carried 5-0

## **ORDINANCES/RESOLUTIONS**

21. **Resolution 10226, to Amend Resolution 10197, Extending the Effective Period for nuisance abatement to July 2, 2018 for property located at 2612 1st Avenue South.**

Planning and Community Development Director Craig Raymond reported that on July 5, 2017, the City Commission adopted Resolution 10197 declaring the property located at 2612 1st Avenue South a nuisance. Resolution 10197 ordered the nuisance abated and authorized staff to force abatement if necessary. Due to inclement weather and a delay in awarding the abatement contracts, additional time is necessary to complete the abatement.

Staff is requesting an additional seven (7) months to complete the ordered abatement of the property. By adopting the resolution under consideration, the effective date of Resolution 10197 will be extended to July 2, 2018. All other provisions of Resolution 10197 remain the same.

**Commissioner Houck moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10226.**

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

Commissioner Houck received clarification that finding a licensed painter who could deal with a lead paint abatement was an issue with regard to the requested extension.

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

Motion carried 5-0

## **CITY COMMISSION**

22. **Appointment, Mayor Pro-Tempore.**

**Mayor Kelly moved, seconded by Commissioner Robinson, that the City Commission appoint Bill Bronson to serve as Mayor Pro-Tempore effective immediately, for a two-year term or until the City Commission has held an election.**

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 4-0-1 Commissioner Bronson abstaining

23. **Miscellaneous reports and announcements from the City Commission.**

None

24. **Commission Initiatives.**

Referring to a memorandum that summarized the views of departments comments on the possible participation in the opioid litigation, Commissioner Bronson requested that this be put on an agenda for an upcoming Commission meeting. No one disagreed.

Commissioner Houck reported that the Upper Missouri River Heritage Planning Inc. has been working on collaborative projects, and that the intent would be to move forward with a plan that would be submitted to congress for a designation of a Heritage area.

Mayor Kelly expressed appreciation to the Public Works department with regard to snow removal, as well as to the police department for their work.

Commissioner Robinson commented that he is pleased that Manager Doyon will continue his employment with the City.

**ADJOURNMENT**

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Bronson, to adjourn the regular meeting of January 2, 2018, at 8:45 p.m.**

Motion Carried 5-0

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**Mayor Bob Kelly**

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**City Clerk Lisa Kunz**

**Minutes Approved:**