

JOURNAL OF COMMISSION PROCEEDINGS
October 16, 2018

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, Bill Bronson, Tracy Houck, Mary Sheehy Moe, and Owen Robinson. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Budget Analyst Kirsten Myre; Fire Chief Steve Hester; 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.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: Commissioner Bronson asked that Item 8B on the Consent Agenda be voted on separately, and commented that he would not be participating in the vote on Item 14.

PROCLAMATIONS: Family Promise Week and Red Ribbon Week.

PETITIONS AND COMMUNICATIONS

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

John Hubbard, 615 7th Avenue South, commented that there seems to be two different initiatives contained in the language of I-185. Mr. Hubbard discussed his personal court case, and concluded that there are lots of laws, but there isn't any justice.

Karen and Mike Kaszula, 2416 2nd Avenue North, commented that they like to use the Natatorium pool and are sad to see it close. Mr. Kaszula commented that he will keep coming to Commission meetings until the Natatorium is on the agenda.

Mayor Kelly responded that, at the last two meetings during the City Manager's Report, the efforts currently being made about the pools has been discussed. He recommended that the Kaszulas and others supportive of the pools attend the November 7th work session to hear the Park and Recreation Director's report on what some options and alternatives may be for the pools.

NEIGHBORHOOD COUNCILS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

BOARDS & COMMISSIONS

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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 on recently attended meetings:

- Design Review Board - talked about the temporary suspension of the board, as discussed at this evening's work session;
- Children's Museum – discussed the lease renewal which is under review and will be brought before the Commission for consideration;
- Met with one of the two respondents that submitted a proposal in response to the Golf Course RFP. A meeting is scheduled for October 22nd with the other respondent. Thereafter, staff will make a recommendation to the Commission regarding how to proceed with regard to the golf courses;
- Library Trustees – discussed the recruitment process for a new Library Director;
- Housing Authority – discussed the recruitment process for a new Housing Authority Director;
- Great Falls College MSU – discussed developing a more intensive, shorter period paramedic program; and
- MS4 group – discussed the ongoing process for reviewing the requirements and regulations in the administration of the storm water management program, a federal mandate the City is required to enforce.

He further reported that the Library boiler project involved asbestos abatement.

The Montana Defense Alliance held its annual luncheon last week. Key note speaker, (Ret.) USAF General Tom Deppe, discussed the importance of ground based strategic deterrent to Malmstrom and to the nation in terms of defense.

Manager Doyon commented that three Commission members expressed interest in serving as the City's liaison on the Local Emergency Planning Committee (LEPC) that the Commission can discuss during Agenda Item 16.

He reminded everyone that the CodeRED app is available for download and is another resource for the public to receive emergency notifications.

He also announced that the fourth City 101 meeting is scheduled for October 25th.

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CONSENT AGENDA.

5. Minutes, September 18, 2018, Commission meeting.
6. Minutes, October 2, 2018, Commission meeting.
7. Total Expenditures of \$1,518,498 for the period of September 15, 2018 through October 3, 2018, to include claims over \$5,000, in the amount of \$1,458,675.
8. Contracts list.
9. Approve the Interlocal Agreement between the City of Great Falls and Cascade County for use of the 2018 Byrne Justice Assistance Grant (JAG) Program funds.
10. Approve the Second Amended and Restated Interlocal Agreement for Creating Montana Firefighters Testing Consortium and authorize the City Manager to execute the Agreement.
11. Approve the purchase of two new 2019 Kenworth T470 single axle cab & chassis dump box trucks for \$243,210 from Montana Power Great Falls, Inc., through Sourcewell, including trade-ins.
12. Approve a Professional Services Agreement in the amount of \$134,509 to HDR Engineering, Inc., for the Septage Receiving Station and Dewatering Pump Replacement Project, and authorize the City Manager to execute the contract documents. **OF 1731.1**
13. Approve Change Order No. 1 for the NE Interceptor Rehabilitation Project in the amount of \$82,500 to Planned and Engineered Construction and authorize the City Manager to sign the documents. **OF 1674.3**

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission approve the Consent Agenda as submitted, with the exception of the contract under Item 8B for separate consideration and action.

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.

Item 8B is a contract with Neighborhood Housing Services d/b/a NeighborWorks Great Falls for 2018/2019 HOME Investment Partnership Program Community Housing Development Organization (CHDO) funds towards construction costs of a high school house being built by Great Falls High and C.M. Russell High School students.

Commissioner Houck moved, seconded by Commissioner Robinson, that the City Commission approve Contracts List Item 8B for Planning and Community Development to fund \$27,838 to Neighborhood Housing Services of Great Falls d/b/a NeighborWorks Great Falls – Community Housing Development Organization.

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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).

PUBLIC HEARINGS

14. MERIWETHER CROSSING SUBDIVISION (FORMERLY KNOWN AS THE MEDICAL TECH SUBDIVISION).

I. RESOLUTIONS 10258, 10259, 10260, 10261, 10262, 10263, 10264, 10265, 10266, 10267 TO ANNEX LOT 4B AND 4C OF THE CORRECTION OF AN AMENDED PLAT OF LOT 4 OF THE MEDICAL TECH PARK MINOR SUBDIVISION.

II. ORDINANCE 3193, ESTABLISHING PLANNED UNIT DEVELOPMENT (PUD) ZONING.

III. FINAL PLAT OF MERIWETHER CROSSING SUBDIVISION AND THE ACCOMPANYING FINDINGS OF FACT/BASIS OF DECISION.

Planning and Community Development Director Craig Raymond reported that this item is a public hearing for consideration of Resolutions 10258 through 10267 to annex Lot 4B and 4C of the correction of an Amended Plat of Lot 4 of the Medical Tech Park Minor Subdivision in 10 phases, Ordinance 3193 to establish PUD zoning upon annexation of each phase and Final Plat approval for the Meriwether Crossing Subdivision, and to approve the Improvement Agreement.

The applicant, NeighborWorks Great Falls, is proposing the annexation, establishment of Planned Unit Development (PUD) zoning, and final plat approval of a major subdivision on two parcels of land that total approximately 20.5 acres. The subject properties are undeveloped land located in Cascade County adjacent to Great Falls along 20th Street South and 24th Avenue South. The applicant is proposing an 85-lot subdivision, fully developed with the establishment of several proposed roadways and alleys to access the lots, sidewalks to create pedestrian circulation, and City utilities to provide services to the subject properties.

There are two distinct types of lots with specific goals and market targets for each type. At least 50 of the proposed 85 lots will be single family dwellings with garages that are accessed from the rear of the property. The balance of the lots will have what is known as “cottage style” homes that are designed primarily for entry level first time home buyers and/or empty nesters who do not wish to maintain large homes or properties. The lots which these homes are to be located are under the typical R-3 zoning minimum lot size requirement. This, and the desire for a variety of product types, are the reasons why the applicant is requesting PUD zoning. The PUD zoning designation provides the City Commission the opportunity to allow a tailored approach to incentivize the development of certain identified residential needs in the City. In this case, a higher density than what ordinarily might be sought will help incentivize affordable workforce housing and home ownership goals. What makes developments like this work are multiple points of access to the

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City's existing and future transportation network. However, this subdivision has one issue which staff finds to be concerning - the location of the subdivision is located in an area that has a roughly seven and a half minute emergency response time. This is an issue the City cannot continue to ignore if it wants to promote and be ready for growth and provide essential emergency services.

City staff and the developer have worked through a detailed Improvement Agreement that defines the roles and responsibilities of the developer and the City. The Agreement spells out what improvements are required by the City and who shall pay for them. For the most part, the developer shall pay for all street, water, sewer and storm water improvements which are necessary to support this development. The City will pay for upsizing of utility lines as may be specifically requested by the City for utility continuity and future growth. The City also intends to purchase one of the subject lots to keep in reserve for a possible water pump station that may be needed in the future.

Director Raymond explained why there are 10 specific annexation resolutions for this project. The primary purpose is due to the nature of the funding source. NeighborWorks Great Falls receives funding through USDA-RD which means "rural development". In order for this project to be eligible for these funds, the homes must be constructed in rural or county jurisdiction. Once completed, those homes and properties are immediately annexed into the City prior to actually receiving City utilities and services.

The requested action is that the City Commission adopt Resolutions 10258 through 10267, adopt Ordinance 3193 establishing PUD zoning upon annexation, and approve the Final Plat and Improvement Agreement all pertaining to Meriwether Crossing.

Applicant Sherrie Arey, NeighborWorks Great Falls, 509 1st Avenue South, thanked City staff for their assistance with this project and getting it to this point in the process. Meriwether Crossing will consist of 83 lots, 50 of which will be part of the owner-build program. So far, NeighborWorks has built 120 homes through that program, and has a waiting list of 150 homes. These 50 lots will take NeighborWorks five years into this program. The other 33 lots will be 800-1,000 square foot cottage homes in a modest price range of \$160,000 to \$200,000 to attract new homeowners or people that want to downsize.

Mayor Kelly asked if the Commission had any questions of staff or the applicant.

Commissioner Robinson referred to the site map and inquired if the concrete sidewalks on the southeast side of the project were in the county.

Director Raymond responded that those sidewalks about the Rockcross Commons project and that property has been annexed into the City limits.

Commissioner Houck inquired how staff proposed to negate their concerns if the City continues to expand.

Director Raymond responded that those questions will be discussed during budget time. The Master Plan has already identified the need for a pump station. At this point, it is not needed but property is being set aside for that purpose in the future.

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Fire Chief Hester explained that response times are based on distance and access. There is great access with this project that the Fire Department will cover with Station 3.

Manager Doyon added that the primary call will be to EMS. What has been communicated to the Commission over the years is that the longer it takes for fire and police to respond in a life threatening situation, the less that they will be able to do. The concern is the delayed response time. He will continue to monitor and chime in as developments are added to the community because it places more demand on a system that is stressed already. The general response time standards are known. The Commission needs to factor those standards into their thought process in terms of, is it as acceptable moving forward that there is a good chance that the residents that purchase homes in those areas are not going to have a certain level of service that generally is acceptable or enjoyed by other residents.

City Attorney Sara Sexe referred to the wording on the agenda and agenda report and clarified that the name of the subdivision is changing to Meriwether Crossing, formerly known as Medical Tech.

No one spoke in support of or in opposition to Resolutions 10258 – 10267, Ordinance 3193, and Final Plat and accompanying Findings of Fact/Basis of Decision.

Mayor Kelly closed the public hearing.

Mayor Kelly again asked if there were any questions of staff or the applicant. Hearing none, Mayor Kelly asked if the applicant wanted to make any follow up comments. Hearing none, Mayor Kelly asked the will of the Commission.

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Resolutions 10258, 10259, 10260, 10261, 10262, 10263, 10264, 10265, 10266, 10267 to annex Lot 4B and 4C of the Correction of an Amended Plat of Lot 4 of the Medical Tech Park Minor Subdivision and approve the Improvement Agreement and accompanying Findings of Fact/Basis of Decision.

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

Commissioner Bronson noted he was recusing himself from this and subsequent votes on this matter.

Commissioner Robinson commended staff for being creative to make a challenging project work. He, also, expressed concern about fire and police response times. However, to use that as an excuse to not grow is a big mistake. He suggested addressing fire and police response times now and into the future during budget time.

Commissioner Houck concurred with Commissioner Robinson's comments.

Commissioner Moe noted that work force housing of this type is much needed for the community.

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

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Motion carried 4-0-1 (Commissioner Bronson abstaining).

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission adopt Ordinance 3193 and the accompanying Findings of Fact/Basis of Decision.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0-1 (Commissioner Bronson abstaining).

Commissioner Moe moved, seconded by Commissioner Robinson, that the City Commission approve the Final Plat of Meriwether Crossing Subdivision and the accompanying Findings of Fact/Basis of Decision.

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

Mayor Kelly agreed that fire and police response times are a discussion the Commission needs to have. The City has done a good job of letting developers know that it is a concern. He expressed appreciation to the applicant/developer for working with public safety officials in this case to mitigate some concern.

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

Motion carried 4-0-1 (Commissioner Bronson abstaining).

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

CITY COMMISSION

15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly announced that on November 7th he will be attending the National League of Cities and Towns Conference in Los Angeles. Commissioner Bronson will officiate the next Commission meeting in his absence.

Commissioner Moe reported that the Future of the Falls forum was well attended. Evaluation and suggestion forms were collected and will be reviewed by the planning group tomorrow to determine next steps. The most common response she heard and read on the forms was promoting a positive image for Great Falls, particularly to their age group. She had a sense of surprise at how many attendees were of the same mind. It seemed like a very exciting place to start, and she is hopeful about what the planning group's next steps might be.

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Commissioner Moe also discussed her raising a point of order at the last Commission meeting during Petitions and Communications when a speaker at the podium was discussing I-186. She reiterated that it is very important that the Commission keep public comment confined to items under the Commission's jurisdiction. She suggested the Commission discuss this further at a work session or retreat.

Commissioner Houck announced that there are several upcoming downtown events: Small Business Saturday, Halloween trick or treating, Parade of Lights, and the Christmas Stroll.

16. COMMISSION INITIATIVES.

With regard to the LEPC discussed earlier, Commissioners Houck and Robinson will discuss amongst themselves who will be the City's liaison on this committee and provide that information to Manager Doyon.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Moe moved, seconded by Mayor Kelly, to adjourn the regular meeting of October 16, 2018, at 8:10 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: November 7, 2018