

Regular City Commission Meeting

Mayor Pro Tempore Jones presiding

**CALL TO ORDER:** 7:00 PM

**PLEDGE OF ALLEGIANCE – Cub Scout Pack 1**

**ROLL CALL:** City Commissioners present: Bob Jones, Bill Bronson, Fred Burow and Mary Jolley. Mayor Winters was excused. Also present were the City Attorney, Directors of Fiscal Services, Planning and Community Development, and Public Works, Deputy Director of Park and Recreation, Executive Director of the Housing Authority, Fire Chief, Police Chief and the City Clerk.

**PROCLAMATIONS:** Commissioner Bronson read a proclamation for The Forgotten Five, and Mayor Pro Tempore Jones read proclamations for National Recovery Month and the Ursuline Centre Centennial Celebration.

**\*\* Action Minutes of the Great Falls City Commission. Please refer to the audio recording of this meeting for additional detail. \*\***

**NEIGHBORHOOD COUNCILS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from Neighborhood Council representatives.

**BOARDS & COMMISSIONS**

**2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Cyndi Baker**, 500 Montana Avenue NW, provided an update on the naming contest for the K-9 police dogs.

**PUBLIC HEARINGS**

**3. RESOLUTION 9938 TO LEVY AND ASSESS PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT.**

Fiscal Services Director Melissa Kinzler reported that there are currently 26 Special Improvement Lighting Districts with approximately 9,420 roadway lights, lighting over 70% of the City. The majority of the roadway lights are owned by Northwestern Energy. The City of Great Falls pays Northwestern Energy a maintenance fee, an operational fee and a distribution fee for those lights. The electrical supply for the lights is provided by and paid to Electric City Power. The Special Improvement Lighting District funds are administered by the Fiscal Services Department to maintain the light poles and furnish electrical current for the lighting districts throughout the year. The estimated assessment is \$1,766,640 for Fiscal Year 11/12.

Mayor Pro Tempore Jones declared the public hearing open.

Speaking in opposition to Resolution 9938 was:

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, requested an explanation why there was a variation in percentage increases.

Ms. Kinzler explained that the assessment is based on the number of poles in each district, and each pole differs in maintenance costs. Also taken into account were Electric City Power's rate increase, and the cash reserve in the funds.

No one spoke in support of Resolution 9938.

Mayor Pro Tempore Jones declared the public hearing closed.

**Commissioner Burow moved, seconded by Commissioner Jolley, that the City Commission adopt Resolution 9938.**

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

Motion carried 4-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

#### **4. GREAT FALLS EMERGENCY SERVICES REQUEST FOR EMS TRANSPORT RATE INCREASE IN ACCORDANCE WITH OCCGF 8.9.375.**

Fire Chief Randy McCamley reported that in 2008 the City entered into a performance contract for ambulance service with Great Falls Emergency Services. This contract established the initial ambulance rates and allows for periodic increases subject to conditions outlined in the contract. The proposed ambulance rate increases are within market for Montana. Staff recommends approval of the increases as proposed.

Mr. Dave Kuhn, President of Great Falls Emergency Services, provided a brief overview of response times, number of transports, mix of payers and which of those the rate increases wouldn't affect.

**Commissioner Bronson moved, seconded by Commissioner Jolley, that the City Commission approve increases in transport rates as per Great Falls Emergency Services proposal and found in Exhibit D-1, Addendum to the EMS Transport Services Contract.**

Mayor Pro Tempore Jones asked if there were any inquiries from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, requested clarification regarding a concern noted in the agenda report.

Chief McCamley responded that he is also the EMS Administrator. As such, he wanted to point out to the Commission the distinction that, although the rate proposals are within market, the main reason for the rate increase was due to a change in business practices between Benefis Healthcare

and Great Falls Emergency Services.

Mr. Gessaman perceives a problem with Benefis, Great Falls Emergency Services and the City being involved in emergency transport services.

Chief McCamley clarified that the City of Great Falls, through a performance contract, oversees and regulates 911 emergency services responses. The City does not regulate non-emergencies or other businesses that may be part of the ambulance portfolio.

Motion carried 4-0.

### **ORDINANCES/RESOLUTIONS**

5. **ORDINANCE 3081 TO ASSIGN CITY ZONING TO SERVICE DISTRICT NO. 4 OF THE UPPER/LOWER RIVER ROAD WATER & SEWER DISTRICT.**

Planning and Community Development Director Mike Haynes reported that Ordinance 3081 pertains to the proposed assignment of R-3 zoning to 57 properties in Upper/Lower River Road Water & Sewer District No. 4 upon annexation. The City Commission approved Service District No. 1 that comprised 170 parcels in 2007, Service District No. 2 that comprised 81 parcels in 2009 and Service District No. 3 that comprised 38 parcels in 2010. If Service District No. 4 is annexed, it would bring the total number of parcels annexed into the City in the Upper/Lower River Road area through this process to 346 parcels.

The Upper/Lower River Road Water & Sewer District (the "District") is responsible for establishing Service Areas, gathering the requisite number of signatures authorizing annexation, submitting the annexation request to the City, and funding and coordinating water and sewer system projects with Public Works. The District has submitted signed annexation petitions from 65% of registered electors owning real property in Service District No. 4 which allows the District to request, and the City to process, the application for annexation and initial zoning.

On July 26, 2011, the Zoning Commission recommended that the City Commission assign R-3 zoning to the subject properties upon annexation.

**Commissioner Jolley moved, seconded by Commissioners Bronson and Burow, that the City Commission accept Ordinance 3081 on first reading and set public hearing for October 18, 2011.**

Mayor Pro Tempore Jones asked if there was any discussion amongst the Commissioners or inquiries from the public. Hearing none, Mayor Pro Tempore Jones called for the vote.

Motion carried 4-0.

### **CONSENT AGENDA**

6. Minutes, September 6, 2011, Commission meeting.
7. Total expenditures of \$2,298,142 for the period of August 26 through September 14, 2011, to include claims over \$5,000, in the amount of \$2,059,033.

8. Contracts list.
9. Grants list.
10. Award bid for one new 2012 tandem axle dump truck to I-State Truck Center of Great Falls in the amount of \$95,871.
11. Award bid for five new section snow plows to Kois Brothers of Great Falls in the amount of \$76,425.
12. Approve Change Order No. 1 in the amount of \$10,112.43 to United Materials of Great Falls for the 21<sup>st</sup> Avenue NE Drainage Improvements. **OF 1573.6**
13. Approve Change Order No. 1 in the amount of \$6,038 and extend the contract time by 10 days to Dick Olson Construction for the Police Department Rehabilitation CTEP Project. **OF 1567**
14. Approve Final Payment in the amount of \$2,643.11 to Gregoire Construction and the State Miscellaneous Tax Division for the 2010 CDBG Sidewalk Replacement. **OF 1566.7**
15. Approve Final Payment in the amount of \$64,854.30 to United Materials of Great Falls and the State Miscellaneous Tax Division for the 25<sup>th</sup> Avenue NE Improvements. **OF 1573.6**

Commissioner Bronson requested that item 11 be pulled for separate vote for the reason that Kois Brothers is one of his clients.

Mayor Pro Tempore Jones asked if there were any inquiries from the public. No one responded.

**Commissioner Jolley moved, seconded by Commissioner Burow, that the City Commission approve Item 11 of the Consent Agenda.**

Motion carried 3-0 (Commission Bronson abstained).

**Commissioner Jolley moved, seconded by Commissioner Burow, that the City Commission approve the remainder of the Consent Agenda as presented.**

Mayor Pro Tempore Jones asked if there were any inquiries from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, referred to Item 6 and expressed that he didn't believe Mr. Calsetta used the word "unsafe" when he was discussing the playground equipment. He asked if Ms. Rearden had compiled the cost comparison regarding the American Legion Baseball Club lease that was also referred to in Item 6. Ms. Rearden responded that she now has the information and will be compiling the cost comparison for the Commission. Mr. Gessaman also discussed the legal fees set forth in Item 7. He also inquired about the payment to Arcadis and was informed the rate study was for the Malt Plant and the report was forthcoming.

There being no one else to address the Commission, Mayor Pro Tempore Jones called for the vote.

Motion carried 4-0.

### PETITIONS AND COMMUNICATIONS

#### 16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Pro Tempore Jones opened the meeting to Petitions and Communications.

- A. **Kathy Gessaman**, 1006 36<sup>th</sup> Avenue NE, inquired if Mayor Pro Tempore Jones, as the ECP Chairman, received a progress report during the last Southern Board meeting. Mayor Pro Tempore Jones responded that SME has to file a Form 990 that is public information. The Board now discusses its financial information in executive session.
- B. **Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, inquired if a new contract was entered into with the Malt Plant for industrial sewage. Mr. Rearden responded that the contract addendum kept the rates the same. Mr. Gessaman concluded that the Malt Plant should be paying the same amount as other businesses.

### CITY MANAGER

#### 17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from the Acting City Manager.

### CITY COMMISSION

#### 18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Burow relayed good comments about Great Falls and what it has to offer that he received from a gentleman that worked in Great Falls for a few weeks.

### ADJOURNMENT

There being no further business to come before the regular Commission meeting, **Commissioner Bronson moved, seconded by Commissioner Jolley, that the regular meeting of September 20, 2011, be adjourned at 7:50 p.m.**

Motion carried 4-0.

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Mayor Pro Tempore Jones

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City Clerk

Minutes Approved: October 4, 2011