

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Big Sky Young Marines

The Big Sky Young Marines presented Mayor Winters with a Certificate of Appreciation.

MOMENT OF SILENCE

ROLL CALL: City Commissioners present: Michael Winters, Bill Bronson, Fred Burow, Mary Jolley and Bob Jones. Also present were the City Manager, Deputy City Manager, City Attorney, Directors of Fiscal Services, Planning and Community Development, and Public Works, the Police Chief, and the City Clerk.

PRESENTATION: Great Falls Police Department Canine – Cyndi Baker discussed the Citizens' Police Academy fund raising project for the Great Falls Police Department K-9 cops.

**** 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.

Karen Grove, Chair NC 8, announced that the council will be meeting Thursday at 6:00 p.m. at the Great Falls Pre-Release Center to discuss current issues. Ms. Grove encouraged citizens to file as neighborhood council representatives in the upcoming election.

BOARDS & COMMISSIONS

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

3. RESOLUTION 9923, AUTHORIZING A VOLUNTARY ENERGY SUPPLY RATE INCREASE IN THE AMOUNT OF 8.66% FOR THE CITY OF GREAT FALLS – AN ELECTRIC CITY POWER, INC. CUSTOMER.

City Manager Greg Doyon reported that the requested action is to set a public hearing for June 7, 2011 to consider increasing the City's contribution in terms of its utility payment by 8.66%. The voluntary rate increase for Blocks I and II ECPI customers was recommended by City retained utility rate consultant Jim Williams. The purpose of the voluntary rate increase request is to provide

funds to meet current year expenses incurred by ECPI on behalf of ECPI customers.

Mr. Doyon also noted that later in the agenda for Commission consideration is an extension of Mr. Williams' contract for another term.

Commissioner Bronson moved, seconded by Commissioners Burow and Jones, that the City Commission set a public hearing for June 7, 2011 on Resolution 9923 to authorize that the City of Great Falls (an ECPI customer) pay a voluntary 8.66% energy supply rate increase for services received from February 1, 2011 through June 30, 2011.

Mr. Doyon commented that, when Mr. Williams came up with those rates, it was prior to the City becoming aware of an additional rate increase by Southern. This adjustment does not cover that second increase. However, he could ask Mr. Williams to evaluate that increase to make a determination what the second rate increase would be.

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

Commissioner Jolley suggested that Mr. Williams' information on the second rate increase be available for consideration at the public hearing.

Mayor Winters commented that Southern's ads in the weekend newspaper disturbed him greatly.

Mayor Winters asked if there were any inquiries from the public.

Aart Dolman, 3016 Central Avenue, commented that, in light of the recent pleadings filed in Court, he does not believe Resolution 9923 is applicable. Mr. Dolman suggested that the ECPI Board consider filing for Chapter 11 status.

Ron Gessaman, 1006 36th Avenue NE, commented that the City voluntary rate increase is hard to justify when other ECPI customers said "no;" and, several ECPI customers have already provided notice of terminating their contracts as of June 30th. Mr. Gessaman believes that SME's new independent electric supply group intends to talk with ECPI customers by the end of the month. He doesn't see any purpose in moving forward with Resolution 9923.

John Hubbard, 615 7th Avenue South, believes the persons that executed contracts with Southern should be held accountable.

City Attorney James Santoro suggested the Commission accept Commissioner Jolley's suggestion as a friendly amendment to the main motion to include the 4.5% increase as well, so that when the Commission goes forward with the public hearing on June 7th those figures will also be available.

Commissioners Bronson and Jones accepted Commissioner Jolley's friendly amendment to the main motion that, in addition to the City Commission setting a public hearing for June 7, 2011 on Resolution 9923 to authorize that the City of Great Falls (an ECPI customer) pay a voluntary 8.66% energy supply rate increase for services received from February 1, 2011 through June 30, 2011, to include for consideration all known rate increases in effect in addition to the 8.66%.

Amended Motion carried 5-0.

ORDINANCES/RESOLUTIONS

4. ORDINANCE 3075, TO ASSIGN CITY ZONING TO THE BEEHIVE ASSISTED LIVING FACILITY LOCATED AT 15TH AVENUE SOUTH BETWEEN 24TH STREET SOUTH AND 25TH STREET SOUTH.

Planning and Community Development Director Mike Haynes reported that this is first reading of Ordinance 3075 pertaining to initial zoning of the proposed Phase 2 BeeHive Assisted Living facility on 15th Avenue South between 24th Street South and 25th Street South.

The property is currently part of an unincorporated enclave in the Medical District. The request is to annex the property into the City and assign a zoning of R-5 which is consistent with the zoning of the property to the west. As a condition of approval of annexation, the developer will pave and install utility lines along that ±350 linear foot section of 15th Avenue South between 24th Street South and 25th Street South and be eligible for reimbursement of 50% of those costs at such time as the property to the north annexes.

Neighborhood Council 5 voted in support of the project and its associated improvements. The Planning Advisory Board/Zoning Commission also recommended approval of annexing the property into the City and assigning it the R-5 Multifamily residential medium density zoning.

Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3075 on first reading and set a public hearing for June 21, 2011.

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

Motion carried 5-0.

CONSENT AGENDA

5. Minutes, May 3, 2011, Commission meeting.
6. Total Expenditures of \$1,979,412 for the period of April 28 through May 11, 2011, to include claims over \$5,000, in the amount of \$1,773,364.
7. Contracts list.
8. Award construction contract to Dick Olson Construction, Inc. in the amount of \$127,389.65, and approve the use of \$45,788 in additional CTEP funds for the Police Department Rehabilitation Project. **OF 1567**
9. Award construction contract to Central Plumbing and Heating, Inc. in the amount of \$395,112 for the Montana Eggs Utility Extensions. **OF 1610**
10. Award bid to United Materials of Great Falls, Inc. in the amount of \$656,600 for Asphaltic Concrete Material.

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

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

With regard to Item 7B, Commissioner Jolley asked Mr. Doyon to elaborate on Mr. Williams' contract.

Mr. Doyon responded that he is asking the Commission to authorize him to continue the relationship with Jim Williams in his capacity as a rate consultant. The term of this addendum is through June 30, 2011.

With regard to Items 7C and 7D, Commissioner Jolley inquired the difference between the Systems Medical Director Agreement and the Offline Agency Medical Director Agreement.

Fiscal Services Director Melissa Kinzler responded that one agreement is for the medical director for the City of Great Falls and the other is for the EMS service medical director pursuant to Ordinance 2993.

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

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

11. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters opened the meeting to Petitions and Communications.

- A. Aart Dolman**, 3016 Central Avenue, commented that his preliminary conclusion regarding the chicken issue is that it is a battle of the generations. Mr. Dolman found Tim Gregori's recently filed Affidavit an insult to this community. He concluded by thanking the Commission for doing its best in trying to get out of the electric business with Southern.
- B. Ron Gessaman**, 1006 36th Avenue NE, concurred with Mr. Dolman's comments and added that the ads placed in the weekend newspaper by Southern were nothing more than a blatant attempt to attract ECP customers.
- C. Brett Doney**, Great Falls Development Authority, residing at 3048 Delmar Drive, reported that the Brand Alliance has chosen North Star Communications as a finalist in the Great Falls Brand Development project. The Great Falls Development Authority released a transportation study today that will be posted on its website. TD&H and Woith Engineering firms have been hired for the Great Falls Agri-Tech Park project. Mr. Doney offered a \$300,000 earmarked grant intended to support infrastructure for industrial development to the City to be used to extend water on 18th Avenue North as part of that project.
- D. John Hubbard**, 615 7th Avenue South, reviewed school administration salaries. He commented that he was against the school levy, not the teachers. Mr. Hubbard discussed the agencies he has

been in contact with to request that ECP be investigated.

- E. **Kelly Wetzel**, 509 5th Street North, discussed dandelions being a problem. The City Manager requested that Mr. Wetzel contact him and he would refer him to the appropriate department.
- F. **Mike Witsoe**, 510 11th Street South, congratulated the Mayor for seeking a second term. Mr. Witsoe inquired when the Chicken Committee met and also discussed issues regarding ECP.

CITY MANAGER

12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported that Governor Schweitzer will be in town on Friday to discuss the potential of flooding around the state. He also provided a brief update of his week at the ICMA Senior Executive Institute.

Deputy City Manager Jennifer Reichelt announced the following upcoming meetings:

May 25, 2011 at 5:30 p.m., in the Missouri Room of the Civic Center, a Community Open House for the Downtown Master Plan; and May 26, 2011 at 5:30 p.m., at the Riverside Rail Yard to discuss issues and joint use of the Skate Park.

She also provided a brief update regarding the entryway signage project.

CITY COMMISSION

13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from the City Commissioners.

ADJOURNMENT

There being no further business to come before the regular Commission meeting, **Commissioner Bronson moved, seconded by Commissioner Jones, that the regular meeting of May 17, 2011, be adjourned at 8:09 p.m.**

Motion carried 5-0.

Mayor Winters

City Clerk

Minutes Approved: June 7, 2011

