

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Girl Scout Troop 3016

MOMENT OF SILENCE

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

PROCLAMATIONS: Mayor Winters read proclamations for Bike to Work Week and Developmental Disabilities Week. Mayor Pro Tempore Jones read a proclamation for Peace Officers' Memorial Day.

PRESENTATION: Our Lady of Lourdes Science Fair Project *Jus' Recycle*

**** 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. APPOINTMENT, TOURISM BUSINESS IMPROVEMENT DISTRICT.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission appoint Scott Shull to the Tourism Business Improvement District to fill the remainder of a four-year term through December 31, 2013.

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

Motion carried 5-0.

3. APPOINTMENT, PARKING ADVISORY COMMISSION.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission appoint Charlie Bruckner to the Parking Advisory Commission to fill the remainder of a three-year term through April 30, 2012.

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.

4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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

PUBLIC HEARINGS

5. **ORDINANCE 3074, GRANDVIEW AT BENEFIS (18TH AVENUE SOUTH AND 29TH STREET SOUTH).**

Planning and Community Development Director Mike Haynes reported that Ordinance 3074 pertains to the proposed rezoning to accommodate the proposed Grandview at Benefis project to be developed south of the Park Place retirement community and the Great Falls Clinic Surgery Center.

On February 22, 2011, the Planning Advisory Board/Zoning Commission recommended approval of rezoning the ±42.9-acre subject property from PLI (Public Lands Institutional) to PUD (Planned Unit Development).

Executive Director of Benefis Senior Services Frank Soltys noted that this project has been the culmination of several years of planning with Benefis, staff and seniors in the area.

Project Architect Dave McGill reviewed and explained PowerPoint slides of the project.

Mayor Winters declared the public hearing open.

No one spoke in opposition to Ordinance 3074.

Speaking in support of Ordinance 3074 were:

Frank Soltys, 1104 Durango Drive; **Jim McIlhittan**, 2832 Old U.S. Highway 91; **Bob Norbie**, 15 Prospect Drive; **Brett Doney**, Great Falls Development Authority, residing at 3048 Delmar Drive; **Stu Nicholson**, 4 Volk Terrace; **Joan Bennett**, 315 27th Street South; **Becky Pugh**, 3425 4th Avenue North; **Donna Torres**, 139 Skyline Drive NE; **Sue Warren**, 3932 15th Avenue South; and, **Eric Bakly**, 1413 27th Avenue South.

Mayor Winters declared the public hearing closed.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3074.

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

Motion carried 5-0.

OLD BUSINESS**6. ANNUAL ACTION PLAN INCLUDING USE OF 2011/2012 CDBG & HOME FUNDS.**

Planning and Community Development Director Mike Haynes reported that this is the final action in approving the allocated use of the 2011/2012 CDBG and HOME funding. The numbers may still be refined due to delayed action by the federal government.

Commissioner Burow moved, seconded by Commissioner Jolley, that the City Commission adopt the Annual Action Plan including use of the 2011/2012 Community Development Block Grant funds and 2011/2012 HOME Program funds as recommended.

Mayor Winters asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Winters asked if there were any inquiries from the public.

Cyndi Baker, 500 Montana Avenue NW, requested that the lower administrative percentages be revisited.

In response to Ms. Baker, Commissioner Bronson noted that staff has made assurances that they are only expending monies they feel they need for administration. Should this program continue, administration percentages will again be revisited.

Motion carried 5-0.

NEW BUSINESS**7. CONSTRUCTION CONTRACT AWARD, 2011 STREET REPAIRS.**

Public Works Director Jim Rearden reported that this project will provide street repairs to 11 different sites within the City that have experienced serious deterioration. Since being briefed on this project, one additional street segment has been added to the project and one area of repair has doubled in size. Funds for this project will come from the Street Division's capital improvement funding.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission award a contract in the amount of \$396,690 to Great Falls Sand & Gravel, Inc. for the 2011 Street Repairs (OF 1611.1), and authorize the City Manager to execute the agreements.

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

Commissioner Burow inquired and was informed that the bid amount included the additional sites.

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

Motion carried 5-0.

8. PROVISIONALLY ACCREDITED LEVEE (PAL) AGREEMENT.

Planning and Community Development Department Director Mike Haynes reported that this item is

for Commission consideration to accept the Provisionally Accredited Levee (PAL) Agreement with FEMA for the West Great Falls Levee as discussed at the Work Session, and authorize the City Manager to sign said Agreement prior to the FEMA deadline of May 13. In order to be effective, the PAL Agreement must be signed by the Levee District, the City and Cascade County.

The Agreement will essentially provide the Levee District a 24-month grace period to allow our legislators in Washington D.C. to seek reversal, at the federal level, of the Army Corps of Engineers new policy that they will not certify levees. If those efforts are not successful, it will allow the Levee District time to determine how to fund and coordinate local certification of the levee.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission accept and authorize signature on the Letter of Agreement and request Provisionally Accredited Levee (PAL) designation as required for compliance with the Code of Federal Regulation.

Mayor Winters asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Winters asked if there were any inquiries from the public.

Eric Bakly, 1413 27th Avenue South, favored reducing the size of federal government and bringing things back to a local level.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

CONSENT AGENDA

9. Minutes, April 19, 2011, Commission meeting.
10. Total Expenditures of \$1,569,620 for the period of April 14-25, 2011, to include claims over \$5,000, in the amount of \$1,372,453.
11. Contracts list.
12. Award construction contract to Phillips Construction LLC in the amount of \$388,883 for the 11th Street North Utilities Extension/Replacement. **OF 1556**
13. Award construction contract to Liberty Electric, Inc. in the amount of \$84,653.99 for the Gibson Park Lighting. **OF 1595**

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

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

Commission Burow inquired and was informed that Item 11D was a \$5,000 sponsorship from Payne Financial for the 2011 Ice Breaker road race. They also provided volunteers and other assistance for the road race.

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

14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters opened the meeting to Petitions and Communications.

- A. **John Hubbard**, 615 7th Avenue South, expressed opposition to the school levy. He discussed the recession, administration problems, the EPA handling his complaint about the Weissman property, and the death of Osama bin Laden. Mr. Hubbard also expressed frustration with the judicial system and the government.
- B. **Judy Tankink**, 3620 9th Avenue North, commented that she attended the work session presentation on recreational vehicles. She inquired how many accidents were caused by recreational vehicles being parked on the streets, how many citations were issued and how many emergency vehicles were hindered. She reviewed Neighborhood Council minutes and found very few complaints about recreational vehicles. She feels that it is a few people from the Council of Councils precipitating this matter. Ms. Tankink suggested that data be available for the public at hearings.

Deputy City Manager Jennifer Reichelt responded that it was the Council of Councils' unanimous vote to request that the City Commission look at this matter. This matter will be vetted at a town forum that will be held in the future.

- C. **Cyndi Baker**, 500 Montana Avenue NW, commented that she was concerned how the proposed large motor vehicle ordinance would affect small contractors. She suggested that small business vehicles be separate.

Mayor Winters noted that this was in draft stage; and, that it was not anyone's intention to harm any businesses.

- D. **Carol "Trolley Lady" Place**, 108 Old Ulm-Cascade Road, commented that May 7-15, 2011 is National Travel and Tourism Week. It is a leading industry in Montana. She discussed the importance of travel and tourism, as well as the financial impact it has on the city and state. Ms. Place encouraged residents to take advantage of the trolley to do familiarization tours, and encouraged citizens to visit the Great Falls Visitor's Center.

Mayor Winters requested that the City Clerk prepare a proclamation for Travel and Tourism Week that he will present at the stage rally May 10th event.

CITY MANAGER

15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from Deputy City Manager Jennifer Reichelt.

CITY COMMISSION**16. 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 3, 2011, be adjourned at 8:31 p.m.**

Motion carried 5-0.

Mayor Winters

City Clerk

Minutes Approved: May 17, 2011