

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Girl Scout Troop 3111

MOMENT OF SILENCE

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

NEIGHBORHOOD COUNCILS

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

NC 4. **Sandra Guynn**, Chair NC 4, thanked both the City and County Commissions for coming together and reducing the speed limit on 10th Avenue North between 38th and 57th Streets. Ms. Guynn also discussed the deplorable living conditions at the trailer park located at 4727 2nd Avenue North. She offered the assistance of Neighborhood Council 4 to help with the situation and blight in the neighborhood.

NC 3. **Richard Calsetta**, Official Delegate NC 3, discussed concerns expressed at recent Neighborhood Council meetings regarding the issue of re-addressing Montana Avenue and 22nd Avenue NW, and address confusion for emergency responders. Fire Marshal Bennyhoff and City Mapping Specialist Halcro attended the December 2nd meeting and explained how the new software program works for emergency responders. Mr. Calsetta commented that this issue will be readdressed and more information will be provided at the February meeting.

BOARDS & COMMISSIONS

Advisory Commission on International Relationships.

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Cyndi Baker, Treasurer for the Advisory Commission on International Relationships, reported that the Russian delegation is in Great Falls. She invited everyone to attend a public reception on Friday from 4:15-5:45p.m. at the Great Falls Public Library.

PUBLIC HEARINGS

GDBG & HOME Grant/Consolidated Plan Community Needs

3. CDBG & HOME GRANT/CONSOLIDATED PLAN COMMUNITY NEEDS.

Planning and Community Development Director Mike Haynes reported that
12/07/2010

hearing conducted.

this hearing is an opportunity for applicants to share with the City Commission needs of their organizations that could be funded with CDBG and HOME funds. He noted that the City Commission already voted to commit the final \$332,000 of the \$1 million committed to the Upper Lower River Road Water and Sewer District in the MOU dated August 19, 2003, leaving no funding available for other public facility or infrastructure projects in 2011/2012.

Mr. Haynes commented that it is the hope to again receive about \$1 million in CDBG funding and \$440,000 in HOME funding. However, there are no guarantees that level of funding will be maintained, especially given the recent changes in Congress.

He explained that at the January 4, 2011, meeting, the City Commission will be asked to set percentage funding allocations to provide the Community Development Council (CDC) with parameters for funding before the CDC hears requests to fund specific projects and programs in February 2011. The reason for setting percentage funding allocations to needs categories such as housing, public services and economic development is that the actual dollar amounts can then be adjusted depending on the funds the City ultimately receives from HUD. The City Commission will then consider recommendations of the CDC in March and April 2011.

Mayor Winters declared the public hearing open.

Rolland Leitheiser, Upper Lower River Road Water & Sewer District, commented that the final \$332,000 allocation is vital for completion of the system.

John Stephenson-Love, Board President of the Upper Lower River Road Water & Sewer District, commented that he appreciated the City's recommendation to apply the final installment of what was committed several years ago for Phase IV of the project.

Dana Darko, Board Chairman of the Farm in the Dell, commented that the organization serves developmentally disabled adults located at 535 McIver Road. He reported that current Montana Developmental Disabilities Program statistics show that there are 1,055 individuals in this state needing living and/or work day programs. Of those individuals, 104 are from the Great Falls and surrounding areas. Once the Farm is operational, they have State approval to provide housing for up to 12 developmentally disabled adults at a congregated group home to be constructed this spring. Individuals living at the Farm will be given the opportunity to work in a rural setting, maintain a family atmosphere and have comprehensive residential services, employment, care provider planning and affordable housing. They will also provide employment for 12-18 additional individuals that want to work in an agriculturally based environment. This will be the first Farm in the Great Falls area that will emphasize work

related to agriculture while providing community integration. As with all other non-profit organizations vying for monetary help, the Farm in the Dell is in the same circumstance – not enough money to purchase equipment and supplies for all the workers at the Farm. Mr. Darko concluded that there is a vital need for this Farm and he hopes funding will be allocated to support this heartfelt endeavor.

Cleve Loney, Representative-Elect, 93 Brandy Wine Lane, believes the Commission should consider allocating funds for the Meals on Wheels, Senior Citizen Center and Assisted Living programs.

Carrie Kopyy, NeighborWorks, discussed the need for housing in the community. Ms. Kopyy explained that last year NeighborWorks participated in the Comprehensive Housing Assessment program in Great Falls. The numbers contained in the Comprehensive Plan indicate the housing need is very stark in Great Falls. The condition report in the Comprehensive Plan and what was put together by the Montana Board of Housing indicates that housing stock continues to decline in Great Falls. The cause for concern is set forth in the white paper from the Board of Housing that reported by the year 2025 more than 7,000 homes will be lost in Great Falls to stock debilitation. Because of that, it is important that Great Falls makes a commitment to continue to build several different levels of housing every year. Affordability is a key issue in Great Falls. Lenders, builders and realtors talk about the lack of affordable housing now considered to be a home that sells for less than \$130,000.

With regard to seniors, the Montana and Great Falls' populations are aging. In addition to affordability, seniors need housing that is handicap accessible with no step entries. This area needs to continue to develop what the housing industry is calling "visitable" homes, which means persons using a walker or wheelchair can visit in your home.

With regard to renters, NeighborWorks counselors report that many renters are in stable jobs and are willing to repair their credit or have repaired their credit. However, when they are ready to buy a home, there is not a house to be had in their price range in Great Falls. This adds continued pressure to the rental shortage in addition to not having enough affordable stock.

The most recent Weed & Seed assessment regarding the downtown area indicates that if livability/residences were established, it would be much easier to jumpstart the entire viability of the downtown area.

Other studies indicate the housing stock isn't adequate to supply what is now needed and as Great Falls grows there is less housing stock available. The rising home prices and lack of affordability are putting enormous stress on the fabric of the community.

NeighborWorks has discovered that there is also a need for new home owner education so that their asset continues to appreciate. They are also

seeing an increasing demand for “green” features in houses in Great Falls.

Ms. Kopy commented that what the City gets when it invests money in housing projects is leveraging. For every dollar of CDBG and HOME funding, \$12 dollars of funding comes into the City from sources such as the Department of Housing and Urban Development, NeighborWorks America, and mortgages. The Neighborhood Stabilization Program is such an example. Ms. Kopy concluded that the tax base addition from NeighborWorks Great Falls’ new or rehabilitated homes over the last 30 years is approaching \$28 million dollars.

Linda Daggett, member of NeighborWorks Great Falls Board of Directors and employed by the Head Start program, discussed the importance of blight removal in neighborhoods. Ms. Daggett commended NeighborWorks for its attention to blight removal and encouraged the Commission to encourage blight removal as much as possible.

Shyla Patera, resident of Meadowlark Apartments at 1701 1st Street NW, and employed by North Central Independent Living, discussed the need for rental space for consumers involved in accidents that can’t rehab their houses quickly or purchase new visitable homes. As a citizen, she wants the visitable features previously discussed. At North Central, they see the need for an accessible and livable community. She encouraged the Commission to support the visitability features and increase the number of low income housing units in Great Falls. Ms. Patera urged the Commission continue to take accessibility features into account so that citizens with disabilities can participate in all aspects of their public life.

Brett Doney, Great Falls Development Authority, asked the Commission to consider that jobs are the greatest need of low to moderate income people in this community. The most recent Moody report indicated that of the 392 metropolitan areas in the United States, Great Falls ranked 389th in employment growth projected over the next three years. This not only affects the people that need a job, need more hours, or need a better job, but it affects the entire investment climate. Mr. Doney encouraged the Commission to do large significant things that impact hundreds of families long term. He believes that would bring the administrative charges down to the 10% level instead of 20%. The GFDA has solutions to help private sector employers to create jobs by helping existing businesses expand and helping new businesses to start. Other communities have used CDBG funds to create an economic development infrastructure program, and small business technical assistance. He also encouraged the Commission to consider that loan capital has been very helpful, as well as economic development planning.

Joe Schaffer, Dean of Montana State University-Great Falls, on behalf of the approximately 3,000 students on campus, urged the Commission to consider a greater investment in economic development activities. The

majority of students are from Cascade County and nearly all of them are from Montana. When they graduate, most of them go back to work here in Cascade County or in Montana. This is tomorrow's tax base for many of our public services. The students come from a variety of circumstances and many come from low to moderate income families. Those are the families and individuals that are truly intended to be benefitted by the CDBG program. Although MSU-Great Falls has been successful for the most part in placing graduates primarily in the healthcare fields, there is more that needs to be done. The healthcare programs are fully subscribed. The number one priority is to increase the number of high wage jobs in Great Falls by diversifying the economy. The Commission can continue to divvy up the CDBG monies and touch a lot of different places, or it can make a very focused investment in a few key areas. He encouraged the Commission to look at increasing the percent of CDBG monies on economic development for a greater return on the investment and greater return on the folks in the community.

Richard Parenteau, Little Shell Councilmember, expressed that the CDBG funds could be used for a cultural center in Great Falls. He believes a cultural center would greatly impact attendance in public schools, reduce truancy, improve graduation rates, and reduce recidivism of people going back to jail. He commented that the Helena National Guard donated an armory to the Indian community. He would like to see the Montana Air National Guard, Malmstrom Air Force Base and City come together to provide a cultural center in this community.

Robert Butcher, member of the Great Falls Development Authority Board, spoke in support of use of CDBG monies for economic development to expand existing businesses and attract new employers to the community.

Sally Mathers, Federal Programs and Accountability Director for the Great Falls Public Schools, submitted a written statement indicating that 131 students have been identified this year as an "unaccompanied youth" that lack an adequate nighttime residence.

There being no one else to address the Commission, Mayor Winters declared the public hearing closed.

OLD BUSINESS

NEW BUSINESS

Contract awarded to Standard Parking for parking enforcement and services.

4. CONTRACT, PARKING ENFORCEMENT AND SERVICES.

Planning and Community Development Director Mike Haynes reported that staff requests approval of a new downtown parking services contract with Standard Parking Corporation. The contract is for a 3-year term through December 31, 2013, with an option to extend for another 3 years. He

explained that staff decided not to exercise the 3-year option to extend the existing contract with Standard Parking for four main reasons. First, it was recently discovered that the parking services provider must pay State of Montana prevailing wages even for part-time employees and needed to reflect that in the contract; second, staff wanted to reduce the non-managerial man hours to reflect efficiencies in the operation of the South Parking Garage and reducing parking enforcement; third, staff wanted to be sure the City was receiving the most current and competitive rates for parking services; and, finally, staff wanted to assess the cost of the City operating the parking program to determine if that would be more cost-effective than contracting with a parking provider. The new fees for parking services in 2011 would be about 2.2% higher than if the City exercised the option to extend, while coming into compliance with the State of Montana's prevailing wage requirements.

Mr. Haynes requested that the City Commission approve the new contract for downtown parking services with Standard Parking Corporation.

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission approve the Parking Enforcement and Services Contract with Standard Parking Corporation and authorize the City Manager and staff to execute the necessary documents.

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

Ron Gessaman, 1006 36th Avenue NE, inquired what the net revenue was for FY 2010, and whether the fund would be at a deficit with the increase being proposed with the new contract.

Mr. Haynes responded that parking fund revenues and expenses are approximately the same each year, also accounting for the set aside for major projects. The difference is about \$500 per month in terms of the additional expenses that would be incurred with the new contract.

Mr. Gessaman then read a comment from a *Tribune* article in today's paper regarding the downtown parking program. Mr. Gessaman opined that the parking program is unsuccessful. The fact that the program is suspended for periods in December to encourage shopping downtown indicates that the parking program doesn't work. He suggested to the County to create a condo parking situation for the parking garages so the City could get out of the parking business completely.

John Hubbard, 615 7th Avenue South, inquired and was informed that the parking meter rates would not change due to this new contract. Mr. Hubbard commented that it hurt downtown businesses when the rates were increased the last time. It caused his wife to move her shop from the

downtown area.

Brett Doney, speaking on behalf of the Downtown Action Alliance, commended the City for dealing with the contract problem without raising downtown parking meter rates. He encouraged using Standard Parking's expertise and offering incentives.

Cyndi Baker, 500 Montana Avenue NW, inquired and was informed the total amount of the 3-year contract was approximately \$939,000.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

Ord 3062. Accepted on first reading and set public hearing for December 21, 2010.

5. ORDINANCE 3062, AMENDING TITLE 9, FIREWORKS.

City Manager Greg Doyon reported that Ordinance 3062 modifies the Official Code of the City of Great Falls to permit the sale of fireworks prior to the New Year's holiday consistent with the sales period before the Fourth of July holiday.

Commissioner Bronson moved, seconded by Commissioners Burow and Jolley, that the City Commission accept Ordinance 3062 on first reading and set a public hearing for December 21, 2010.

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

Commissioner Jones inquired how many persons expressed an interest to start selling fireworks within the City limits.

Mr. Doyon commented that one individual was monitoring this process, but he does not know how many others would sell during this period.

Commissioner Jones expressed concerns regarding the application process and inspections.

Mr. Doyon responded that he would discuss his concerns with staff and follow-up with the Commission.

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

Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

Res. 9909. Adopted.

6. RESOLUTION 9909, TO ESTABLISH GREAT FALLS POLICE DEPARTMENT FINGERPRINTING FEES.

Police Chief Cloyd Grove reported that the Police Department manually rolls fingerprints. It is a labor intensive task. Over the past year, the Police Department fingerprinted approximately 150 registered violent and sex offenders, and 225 members of the public. Adoption of the resolution will allow the Police Department to charge a \$15 fee for members of the public, and raise the \$20 fee for processing sexual and violent offenders to \$25.

Commissioner Bronson moved, seconded by Commissioners Jones and Jolley, that the City Commission adopt Resolution 9909.

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.

Res. 9905. Pulled from the Agenda.

7. RESOLUTION 9905, AUTHORIZING A VOLUNTARY 15% ENERGY SUPPLY RATE INCREASE FOR CERTAIN ELECTRIC CITY POWER PILOT PROGRAM CUSTOMERS.

Mayor Winters explained that this item was discussed at the December 6, 2010, Electric City Power Board meeting, and was administratively pulled from this agenda.

Consent Agenda. Approved.

CONSENT AGENDA

8. Minutes, November 16, 2010, Commission meeting.
9. Total Expenditures of \$3,324,045 for the period of November 11, 2010, through December 1, 2010, to include claims over \$5,000, in the amount of \$3,021,424.
10. Contracts list.
11. Lien release list.
12. Set public hearing for December 21, 2010, on the Multi Sports Lease Agreement.
13. Approve Memorandum of Understanding and Construction Agreements with the Montana Department of Transportation for 1st Avenue North, 9th to 38th Streets, and 2nd Avenue North 15th to 37th Streets. **OF 1616**
14. Approve Final Payment in the amount of \$4,478.22 to United Materials and the State Miscellaneous Tax Division for the Broadwater Drive Water Main Relocation /Replacement project. **OF 1578.1**
15. Approve Final Payment in the amount of \$29,520 to Dick Anderson Construction, Inc. and to the State Miscellaneous Tax Division for the Coating Improvements at the Great Falls Wastewater Treatment Plant and Lift Station #15. **OF 1374**
16. Approve Final Payment in the amount of \$117,489 to Planned and

Engineered Construction, Inc. (PEC) and the State Miscellaneous Tax Division for the Sanitary Sewer Trenchless Rehabilitation Phase 14.
OF 1566.1

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

Ron Gessaman, 1006 36th Avenue NE, commented that Item 8, the Minutes, reflects a 4-0 vote on the motion to adjourn.

With regard to Item 10A, Mr. Gessaman assumed the contract for design work was because of the Animal Foundation.

Public Works Director Jim Rearden explained the Animal Foundation's property leaves a gap in the east and west curb and gutter. Staff felt it was important that curb and gutter was installed on the entire portion of 25th Avenue NE. Funding will come from the Street Department.

Regarding Item 10G, Mr. Gessaman encouraged more records being transferred to the Historical Society. He made an accusation that, in the past, staff had been shredding records.

With regard to Item 12, Mr. Gessaman doesn't think the lessee should be responsible for maintenance and repair of buildings.

Regarding Item 14, Mr. Gessaman commented that the representation was previously made that this property was worthless, and now it is costing the City money to move utility lines so that a building can be installed there. He opined this is representative of poor policy.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters opened the meeting to Petitions and Communications.

**Morony Natatorium
closure for pool
maintenance.**

17A. Cyndi Baker, 500 Montana Avenue NW, applauded Richard Ecke's article in the *Tribune* bringing awareness to the issue of domestic abuse. Ms. Baker inquired why the Morony Natatorium pool maintenance was being conducted during the Christmas school break.

Park and Recreation Director Marty Basta responded that maintenance at

the Natatorium varies year to year depending on the needs of the facility. December is when the Park and Recreation Department has City electricians, plumbers and painters available to perform the maintenance work. They do try to limit closure as much as possible.

Ms. Baker suggested that future maintenance on the pool not be done during school holidays.

Mr. Basta pointed out that the Park and Recreation Department is in the business of providing recreational opportunities for the youth in the community. His Department is very sensitive about how closure impacts the users of the facilities.

Trailer Park owned by Larry Frates.

17B. Ryan Williamson, 4727 2nd Avenue North #18, discussed the unhealthy and hazardous living conditions at the trailer park owned by Larry Frates. He inquired how tenants could get assistance in getting the landlord to take care of his responsibilities at this trailer park.

City Attorney James Santoro responded that staff is working through the situation. The owner of the property is currently out of state. He does have several warrants. Mr. Santoro recently advised staff the measures available and the issues are being followed up on.

Dutch Elm disease, politicians being held accountable, and his lawsuit.

17C. John Hubbard, 615 7th Avenue South, commented that, in response to his inquiries regarding protecting his trees from Pine Beetles, City staff visited his property and inspected his trees. He inquired what he could do to save his Dutch Elm trees.

Park and Recreation Director Marty Basta responded that he and the City Forester visited with Mr. Hubbard at his residence a few weeks ago to discuss his tree concerns. There were some trees removed from the boulevard that were infected with Dutch Elm disease. The remaining trees didn't appear to be affected.

Mr. Hubbard expressed that past politicians should be held accountable for misappropriating funds for a coal plant, and for entering into the ECP contracts.

He also discussed his lawsuit situation and commented that he has been screaming for justice since 2000.

Snow removal, ECP.

17D. Ron Gessaman, 1006 36th Avenue NE, discussed a recent article in the *Tribune* regarding snow removal. He believes the Montana Department of Transportation does a fine job taking care of several streets within the City.

With regard to Item 7 that was removed from the agenda, Mr. Gessaman commented that the Electric City Power Board voted yesterday to not go

forward with a voluntary 15% fee increase for the 12 members of the Pilot program who volunteered. Mr. Gessaman commented that the Pilot Program members that did not volunteer were Lee Ebeling, George Golie, Lacey & Ebeling, William Ryan, John Stephenson-Love and Robert Walker.

CITY MANAGER

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported that he has started discussions with staff regarding how to approach the budget for next year. With the Commission's approval, he would like to schedule a retreat in January to talk about goals and setting priorities for the upcoming year. Now is the time to start thinking about how the Commission would like to see the information presented so that he can adequately prepare to help the Commission through the process. A professional facilitator will also assist at the retreat.

Mr. Doyon also reported that he attended a CMDA meeting this morning. A delegation went to Washington D.C. to visit with representatives about the ongoing changes at the Montana Air National Guard with the F-15's being potentially reassigned to Fresno. That delegation is still working hard to make an economic case of why those fighter aircrafts should stay here. Hopefully their efforts will be fruitful.

He also reported that he had the opportunity to meet with John Beutlich, Northern Border Operations Director for the U.S. Department of Homeland Security, to discuss their activities and the potential for new missions to that area as they seek ways to improve border security.

Mayor Winters asked if there were any other staff reports.

City Clerk Lisa Kunz commented that, in response to one of Mr. Gessaman's comments, the City does have policies and procedures in place per the Local Government Records Committee in Helena, and the City does comply with the State's Records Retention Schedule. No documents are shredded without prior authorization.

CITY COMMISSION

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Jones reported that one of the meetings he attended today was with the Commander of Malmstrom Air Force Base. The Commander discussed other bases he had served at, including Minot. After discussion, Commissioner Jones asked the City Manager and Public Works Director to have signs constructed to add next to the three "Welcome to the City of

Great Falls” signs - saying “Proud Home of Malmstrom Air Force Base” and “Proud Home of the Montana Air National Guard.” Mayor Winters concurred.

Mr. Doyon inquired if anyone recalled who constructed the current signs. City Engineer Dave Dobbs responded that he has records pertaining to the signage on Havre Highway.

ADJOURNMENT

Adjourn.

There being no further business to come before the regular Commission meeting, **Commissioner Bronson moved, seconded by Commissioner Jones, that the regular meeting of December 7, 2010, be adjourned at 8:33 p.m.**

Motion carried 5-0.

Mayor Winters

City Clerk

Minutes Approved: December 21, 2010