

Regular City Commission Meeting

Mayor Winters presiding

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

**PLEDGE OF ALLEGIANCE – Marine Corp League**

**MOMENT OF SILENCE**

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

In honor of the World’s Oldest Man, Mayor Winters read a birthday certificate he provided to Walter Bruening today in celebration of his 114<sup>th</sup> Birthday.

**NEIGHBORHOOD COUNCILS**

**1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

NC 7.

**Aaron Weissman**, Chair NC 7, on behalf of the Hebrew Association Congregation Aitz Chaim, inquired about the status of a Memorandum of Understanding regarding display of a Chanukah Menorah in front of the Civic Center. City Manager Greg Doyon responded that he would follow up with Mr. Weissman.

**BOARDS & COMMISSIONS**

**Cyndi Baker appointed to the Advisory Commission on International Relationships.**

**2. APPOINTMENT, ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS.**

**Commissioner Bronson moved, seconded by Commissioners Burow and Jones, that the City Commission appoint Cyndi Baker to the Advisory Commission on International Relationships to fill the remainder of a three-year term through March 31, 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 4-0.

**3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from members of Boards and Commissions.

**PUBLIC HEARING****Res. 9892. Adopted.****4. RESOLUTION 9892, LEVY AND ASSESS PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICTS.**

Fiscal Services Operations Supervisor Martha Cappis reported that Resolution 9892 is an annual assessment resolution for the maintenance and operation of 26 special improvement lighting districts within the City. A total average increase of 12% is requested for the continued maintenance and operation of all lighting district. The assessment totals \$1,595,982.

Mayor Winters declared the public hearing open.

No one spoke in support of or opposition to Resolution 9892.

Mayor Winters declared the public hearing closed.

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9892.**

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

Motion carried 4-0.

**OLD BUSINESS****NEW BUSINESS**

**Memorandum of Understanding with the Great Falls Symphony Association. Approved.**

**5. MEMORANDUM OF UNDERSTANDING WITH THE GREAT FALLS SYMPHONY ASSOCIATION REGARDING DONATION OF A FAZIOLI F0-278 GRAND PIANO.**

Park and Recreation Director Marty Basta reported that Dr. Marilyn Grams recently donated a Fazioli Grand Piano valued at \$140,000 to the Great Falls Symphony Association. In turn, the Symphony donated the piano to the citizens of Great Falls. The piano will be housed in the Mansfield Theater and will be available to presenters and artists who rent the theater for concerts and recitals. Dr. Grams previously donated a C. Bechstein Grand Piano to the Great Falls Symphony Association, which was also donated to the City under a similar agreement.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission approve the Memorandum of Understanding with the Great Falls Symphony Association regarding the donation of a Fazioli F-278, Serial Number 2781301, Grand Piano to the City of Great Falls.**

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

**Gordon Johnson**, Great Falls Symphony Music Director, introduced Dr. Marilyn Grams.

**Dr. Marilyn Grams** reported that she was recruited by Benefis a year and a half ago to be the Medical Director of Senior Services. She provided information regarding an Active Aging award won by Casper, Wyoming, last year. Benefis Senior Services is in the process of planning a 60 acre integrated retirement community. She would like to see the City partner with Benefis Senior Services to “out do” Casper, Wyoming, in its planning efforts.

Mayor Winters thanked Mr. Johnson and Dr. Grams for this generous donation.

Mr. Johnson announced that there will be an official ceremonial acceptance of the piano at the Great Falls Symphony concert on Saturday, October 2, 2010. He also thanked Dr. Grams and the City of Great Falls.

Motion carried 4-0.

**Memorandum of Understanding with Montana Eggs, LLC. Approved.**

**6. MEMORANDUM OF UNDERSTANDING WITH MONTANA EGGS, LLC, FOR UTILITY CONNECTIONS.**

City Manager Greg Doyon reported that the Memorandum of Understanding (MOU) outlines that the City agrees to extend water and sewer infrastructure along the Northwest Bypass to Stuckey Road, and that Montana Eggs agrees to locate water and sewer from its facility to the intersection of Stuckey Road and Northwest Bypass. He explained that Montana Eggs is seeking to upgrade to obtain the USDA Shield. The expanded facility will service 25 Hutterite Colonies and process approximately 60 million eggs per year. Wilcox Farms will manage the facility. Mr. Doyon outlined the minor changes to the MOU that were approved by the City Attorney. He also noted that upon annexation the City will recover its cost for the extension.

**Commissioner Bronson moved, seconded by Commissioners Burow and Jones, that the City Commission approve the Memorandum of Understanding with Montana Eggs, LLC, for utility connections and authorize the City Manager to execute the documents.**

Mayor Winters asked if there was any discussion amongst the Commissioners. No one responded.

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

**John Wipf**, New Rockport Colony, thanked the Mayor, City Commission, City Manager and City staff for their cooperation. He commented that Montana Eggs is an asset to the City of Great Falls which he is proud to be a

part of. Mr. Wipf concluded that he looks forward to this opportunity as it is all about food safety.

Motion carried 4-0.

**Contract awarded to Great Falls Sand and Gravel, Inc. for the Broadwater Bay Park – Parking Lot Expansion. OF 1606**

**7. CONSTRUCTION CONTRACT, BROADWATER BAY PARK PARKING LOT EXPANSION (ARRA FUNDS).**

Park and Recreation Director Marty Basta reported that seven bids were received and opened on September 10, 2010. The project is to construct a parking lot in an empty field at Broadwater Bay Park which has been used informally for years to accommodate overflow parking of boat trailers and trucks, and to correct drainage issues in the area. The Park and Recreation Department applied for and received a grant for this project provided by HB 645, which is a State of Montana program that distributes American Recovery and Reinvestment Act (ARRA) funds. The funds are required to be allocated before October 1, 2010. Staff is recommending the contract be awarded to the low bidder - Great Falls Sand and Gravel, Inc.

**Commissioner Jones moved, seconded by Commissioners Bronson and Burow, that the City Commission award a contract in the amount of \$113,105.75 to Great Falls Sand and Gravel, Inc. for the Broadwater Bay Park – Parking Lot Expansion, and authorize the City Manager to execute the agreement.**

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 4-0.

**Contract awarded to United Materials of Great Falls, Inc. for the Phase II 1<sup>st</sup> Ave. N. and 2<sup>nd</sup> Ave. N. Water Main Replacements. OF 1599**

**8. CONSTRUCTION CONTRACT, PHASE II 1<sup>st</sup> AVENUE NORTH AND 2<sup>nd</sup> AVENUE NORTH WATER MAIN REPLACEMENTS.**

Public Works Director Jim Rearden reported that this project would replace approximately 8,600 lineal feet of pipe on 1<sup>st</sup> and 2<sup>nd</sup> Avenues North prior to a Department of Transportation (MDT) project that would replace handicap ramps and provide an asphalt overlay. The MDT project will rehab approximately 50 blocks of roadway, and the water main project will replace approximately 20 blocks of water main. Eight bids were received on the project including two bidders from Billings. Staff is recommending approval of a contract award to United Materials of Great Falls, Inc., which was the low bid.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission award a contract in the amount of \$1,063,465 to United Materials of Great Falls, Inc. for the Phase II 1<sup>st</sup> Avenue North and 2<sup>nd</sup> Avenue North Water Main Replacements, and authorize the**

**City Manager to execute the construction contract documents.**

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 4-0.

**ORDINANCES/RESOLUTIONS**

**Ord. 3059. Accepted on first reading and set public hearing for October 19, 2010.**

**9. ORDINANCE 3059, REZONE LOTS 1-5, BLOCK 611, FIFTH ADDITION TO GREAT FALLS TOWNSITE FROM C-2 GENERAL COMMERCIAL DISTRICT TO R-3 SINGLE-FAMILY HIGH-DENSITY DISTRICT.**

Planning and Community Development Director Mike Haynes reported that the purpose of Ordinance 3059 is to rezone five lots on the 1500 block of 1<sup>st</sup> Avenue NW from C-2 (General Commercial) to R-3 (Single Family High Density Residential). The applicant owns vacant Lot 5 that Habitat for Humanity is interested in acquiring for development of a new, affordable single-family home.

On August 24, 2010, the Planning Advisory Board, acting as the Zoning Commission, recommended approval of the rezoning consistent with the staff recommendation. Neighborhood Council 2 supports the recommendation of the rezoning from C-2 to R-3.

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission accept Ordinance 3059 on first reading, and set public hearing for October 19, 2010.**

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 4-0.

**Consent Agenda. Approved.**

**CONSENT AGENDA**

- 10.** Minutes, September 7, 2010, Commission meeting.
- 11.** Total Expenditures of \$2,413,400 for the period of August 21 through September 15, 2010, to include claims over \$5000, in the amount of \$2,115,568.
- 12.** Contracts list.
- 13.** Approve FY 2011 Traffic Signal and Sign Maintenance Agreements with the Montana Department of Transportation.
- 14.** Approve Easement Agreement with Northwestern Energy for placement of a substation on City property located at the Wastewater

Treatment Plant.

15. Approve Final Payment for the 2010 Valley Gutters to Gregoire Construction in the amount of \$6,886.40 and the State Miscellaneous Tax Division in the amount of \$69.56. **OF 1573.5**
16. Approve Amended Justice Assistance Grant (JAG) 2010 amount and amended Memorandum of Understanding.

**Commissioner Bronson 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. No one responded.

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

**Aaron Weissman**, 315 4<sup>th</sup> Avenue North, on behalf of "Citizens in Support of Indoor Swimming in Great Falls," spoke in favor of Item 12C, an engineering agreement for a structural assessment of the Morony Natatorium.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, with regard to Item 11, requested clarification about June and July payment adjustments listed under the Electric Fund.

Fiscal Services Operations Supervisor Martha Cappis responded that the original bills submitted by Southern contained calculation errors. Those funds are in addition to the funds that were originally paid at the time the bills were submitted.

Motion carried 4-0.

## **PETITIONS AND COMMUNICATIONS**

### **17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Winters opened the meeting to Petitions and Communications.

#### **ECP.**

**17A. Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed financials presented at the last Electric City Power (ECP) Board meeting. He believes ECP has lost \$750,000 this year, and \$3.9 million since its creation. Mr. Gessaman concluded that ECP is a separate, non-profit corporation that should not be allowed to use a municipality's funds as its piggy bank.

#### **Community Support.**

**17B. Brad Livingston**, 2704 Big Ranch Road, on behalf of the 3,700 members of the Montana National Guard, thanked the citizens of Great Falls, Cascade County and the State of Montana for their recent support of the deployment of 571 Montana Army Guard soldiers and 350 Montana airmen from Malmstrom as they prepare to go to Iraq and Afghanistan.

**Candidate for County Commission.**

**17C. Johnny Walker**, 71 Highwood Drive, announced that he is a candidate running for County Commissioner. He invited everyone to attend a forum Thursday at 7:00 p.m. at the Library that will be moderated by the *Great Falls Tribune*. Mr. Walker also extended an invitation to the Commissioners to meet to discuss Commission priorities and his philosophy regarding cooperation between the County and the City.

**CITY MANAGER**

**18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon noted that the annual audit of the City financials is currently being performed. He reported that he will be out of the office next week with two Commissioners for an economic development training session. He also noted that he had an opportunity to tour the Police Department shooting range and the Public Works rehab project, and invited the Commissioners to do the same.

With regard to the Natatorium, Mr. Doyon commented that he hopes the report comes back that the facility deficiencies aren't as bad as was originally thought. It still does not resolve the underlying problem of operating the indoor pool. He mentioned that subsidy to the pool will be front and center again on next year's budget.

**CITY COMMISSION**

**19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from the Commissioners.

**ADJOURNMENT**

**Adjourn.**

There being no further business to come before the regular Commission meeting, **Commissioner Bronson moved, seconded by Commissioner Burow, that the regular meeting of September 21, 2010, be adjourned at 7:40 p.m.**

Motion carried 4-0.

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Mayor Winters

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City Clerk

Minutes Approved: October 5, 2010