

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Young Marines Marine Corps League

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

NEIGHBORHOOD COUNCILS

Swearing In Ceremony of Neighborhood Council Representatives.

1. SWEARING IN CEREMONY OF NEIGHBORHOOD COUNCIL REPRESENTATIVES.

Mayor Winters swore in one elected and two write-in candidates as neighborhood council representatives.

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

NC 2.

2A. Bob Mehlhoff, Kelly Manzer and Sue Ann Strickland, NC 2, congratulated the new members on the City Commission. Mr. Mehlhoff read a letter expressing opposition to the city selling any park land in District 2 and especially for the purpose of a youth group home.

NC 3.

2B. Richard Calsetta, NC 3, introduced himself and congratulated the new members of the City Commission. Mr. Calsetta reported that NC 3 will be an active group that has identified three goals: establishing neighborhood watches, offering assistance for the youth services at Skyline School, and developing Skyline Park in phases.

PETITIONS AND COMMUNICATIONS

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters opened the meeting to Petitions and Communications.

Joint ECP/City Commission meeting, Animal Shelter, Cable 7.

3A. Aart Dolman, 3016 Central Avenue, thanked the Commission for arranging the joint City Commission/Electric City Power Board of Directors meeting, as well as addressing the Animal Shelter. Mr. Dolman provided Mayor Winters with a DVD recording of the joint meeting. He requested that Cable 7 tape and air the next joint meeting.

City Manager Gregory T. Doyon explained that Mr. Manthey is budgeted for 20 hours per week.

Commissioner Burow requested that Cable 7 be used as a tool to get information to the public by also taping the agenda and work session meetings.

Mr. Doyon encouraged community interest to re-energize the Cable 7 Board.

Mayor Winters inquired and Mr. Dolman expressed interest in serving on the Cable 7 Board.

Cable 7.

3B. Kathy Gessaman, 1006 36th Avenue NE, commented that it would be an honor to serve on the Cable 7 Board.

**New Commissioners,
Cable 7, EPA and water
rights.**

3C. Stuart Lewin, 615 3rd Avenue North, congratulated the new members on the City Commission and expressed that he was hopeful for the city's future. Mr. Lewin discussed franchise monies from Bresnan to the City and his disappointment of reducing Mr. Manthey of Cable 7 to part-time. He didn't agree with Mr. Parker's comments at the work session regarding the EPA, and encouraged compliance with pre-treatment requirements. Mr. Lewin also encouraged the Commission to address the issue of water rights.

**Cable 7, Boards and
Commissions, Burns &
McDonnell report.**

3D. Ron Gessaman, 1006 36th Avenue NE, expressed concern that the Cable 7 Board of Directors haven't met in five years. Also with regard to Boards and Commissions, Mr. Gessaman suggested that, rather than the Commission reappointing interested and qualified members, policy be changed to requiring all interested persons to reapply.

Mr. Gessaman also suggested the key deliverables of the Burns & McDonnell report be available to the Commission for consideration when making its determination.

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

**Plumbers and Fitters
Local #41 Labor
Agreement. Approved.**

4. LABOR AGREEMENT, PLUMBERS AND FITTERS LOCAL #41.

Human Resources Manager Linda Williams reported that this labor agreement covers six employees: four plumbers and two inspectors. The previous two year agreement expired December 31, 2009. The terms of the proposed agreement are for an eighteen (18) month period from January 1, 2010, through June 30, 2011. The economic impact is 3.25% effective January 1, 2010, and 1.5% effective July 1, 2010. The 3.25% is the same amount each of the other collective bargaining units, as well as exempt employees, received as a cost of living increase effective July 1, 2009. The 1.5% is the same cost of living adjustment the Electrician, Painter and

Police Protective Association contracts will receive effective July 1, 2010.

Ms. Williams explained the major changes from the previous agreement are:

(1) The dates were changed to reflect the duration of the agreement, January 1, 2010 – June 30, 2011. This change will bring the contract timeframe consistent with the other labor agreements, all of which run on a fiscal year; (2) The salary schedule was updated to reflect a 3.25% increase effective January 1, 2010, and a 1.5% increase effective July 1, 2010 (with 50¢/hr. deferred to pension, resulting in a net effect of reducing the hourly rate 11¢/hr.). The total city pension contribution will increase from \$2.75/hr. to \$3.25/hr.; (3) The amount the city contributes into the Plumbers and Pipefitters National Pension Fund was updated to reflect the current amount of \$2.75/hr. Employees voted to defer 50¢/hr. towards their pension July 1, 2010, increasing the contribution amount to \$3.25/hr.; and (4) The health insurance contribution rates were changed to reflect current city and employee contribution amounts in effect July 1, 2009, with the current contribution percentages (90% city, 10% employee).

Commissioner Burow moved, seconded by Commissioner Jolley, that the City Commission deny the Labor Agreement between the City of Great Falls and Plumbers and Fitters Local #41.

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

Commissioner Burow expressed concerns about being in a recession and suggested the 3.25% increase only. He inquired how much the city would be contributing into their pension fund. Ms. Williams responded \$3.25 per hour. She explained that, instead of taking an increase on their base wages over the years, they have deferred it to a separate pension. Due to changing from a calendar year to a fiscal year, the 3.25% is what everyone except Local #41 received last July, and the 1.5% is to get them on the fiscal cycle.

Commissioner Bronson opposed Commissioner Burow's motion stating that management negotiated a contract with representatives of the labor union in good faith and with the understanding of consistency and continuity. If it is going to be the policy of this Commission to take a different approach to labor negotiations, then it would be appropriate to discuss that with Mr. Doyon.

Commissioner Jones concurred with Commissioner Bronson.

Commissioner Jolley commented that there was good discussion and points made.

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

Olaf Stimac, Business Agent for the Plumbers and Pipefitters Local #41, commented that the parties negotiated in good faith. The \$3.25 was the amount subtracted from their wages to put towards their pension. He requested that the City Commission approve the contract.

Motion failed 1-4 (Mayor Winters and Commissioners Jones, Bronson and Jolley dissenting).

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission approve the Labor Agreement between the City of Great Falls and Plumbers and Fitters Local #41, and authorize the City Manager to execute said labor agreement.

Motion carried 4-1 (Commissioner Burow dissenting).

City Manager directed to prepare a Request for Proposals to operate and manage the City's Convenience Center.

5. REQUEST FOR PROPOSALS FOR OPERATION AND MANAGEMENT OF CITY'S CONVENIENCE CENTER.

City Manager Gregory T. Doyon reported that at its January 5, 2010, work session the Commission held a goal setting session for the upcoming year, and discussed challenges facing the city and the priorities of the Commission. One of the issues was the future of the Convenience Center. The City has purchased property to relocate, but there are challenges of long-term sustainability. Commissioner Burow indicated that he would like to see alternate options explored. Mr. Doyon requested that the City Commission formally direct him to move forward with the process of preparing and issuing an RFP.

Commissioner Jolley moved, seconded by Commissioner Burow, that the City Commission direct the City Manager to prepare a Request for Proposals to operate and manage the City's Convenience Center.

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

Commissioner Burow discussed problems with the Transfer and Recycling Center operating in the red. He reported that the county entered into an agreement with another provider that has worked out well. He suggested the city do the same as a cost saving measure.

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

Richard Calsetta, 56 32nd Avenue NE, commented that a city the size of Great Falls should drop or not manage services that are unnecessary. As a cost saving measure, he suggested that the public recycle at Pacific Steel or Steel, Etc.

Ron Gessaman, 1006 36th Avenue NE, suggested the Commission review the contents of the RFP before it is released.

Stuart Lewin, 615 3rd Avenue North, believes it is important to see what services for recycling can be provided for profitably, and to not compete with the private sector. He does believe the city should promote recycling and that there are things the city can do to improve recycling.

Commissioner Bronson concurred with Mr. Lewin and commented that he does support the motion, but not with the idea that it is a solution to all the problems with respect to recycling.

Olaf Stimac, 57 Country Lane, also concurred with Mr. Lewin and added that not all city services need to be profitable, but need to be done for society and for the good of the community.

Aart Dolman, 3016 Central Avenue, concurred with Messrs. Lewin and Stimac.

Motion carried 5-0.

**City of Great Falls
Financial Policies and
Procedures. Amended.**

6. ADOPT AND AMEND FINANCIAL POLICIES AND PROCEDURES.

Fiscal Services Director Coleen Balzarini reported that the action requested is to consider continuing the report on expenditures in the same form that it is currently – itemized transactions \$5,000 and greater; or continue the \$5,000 report and direct staff to publish all the transactions during the same time period on the website; or amend the report to itemized transactions of \$1,000 and greater. She explained that the impact from \$5,000 to \$1,000 on staff time would double or triple to prepare the report. The transactions are in an electronic document format that can be posted relatively easily.

Commissioner Jolley inquired if the posted transactions on the website would include wire transfers. Ms. Balzarini responded that the wire transfers would continue to be reported on the \$5,000 report.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission amend the City of Great Falls Financial Policies and Procedures setting the level of detailed reporting of vendor payment transactions provided to the City Commission at \$5,000 and above; and incorporating on-line posting of a Check Register by Fund for the same time period as the dates reflected on the report presented to the City Commission at each Commission meeting.

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

Stuart Lewin, 615 3rd Avenue North, commented that he proposed this action some time ago and that the city should take advantage of electronic

technology. He believes all transactions should be posted on the website.

Commissioner Burow asked if it would be an issue to post wire transfers on the website as well. Ms. Balzarini explained that would be a manually processed activity. When the city transitions to a new system, she is optimistic that the wire transfers will be posted. She also clarified that the wire transfers are currently itemized on the \$5,000 report.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

Ord. 3049. Accepted on first reading and public hearing set for February 2, 2010.

7. ORDINANCE 3049, INTERIM ZONING ORDINANCE FOR MEDICAL MARIJUANA ESTABLISHMENTS.

Planning and Community Development Director Mike Haynes reported that Montana voters approved Initiative 148 by a 62% to 38% margin legalizing medical marijuana in 2004. The law allows a patient with a qualifying medical condition and an identification card issued by Department of Public Health & Human Services (DPHHS) to have up to six marijuana plants and one ounce of usable marijuana. The law also allows a patient to assign a caregiver or provider - that is someone to provide the patient with marijuana and associated materials. This means that a provider can provide multiple patients with marijuana and potentially keep up to six plants and one ounce of usable marijuana per patient.

The Planning and Community Development Department recently received two applications for zoning permits for medical marijuana providers. That is part of the process for obtaining a safety inspection certificate which is needed to open a business in Great Falls.

The use of medical marijuana is permitted by state law, and the proposed interim ordinance defers to that state law. Mr. Haynes explained that time is needed to determine where and under what conditions providers will be able to operate within the city. The request is for 90 days to conduct this analysis and bring proposed code amendments to regulate providers of medical marijuana to the Planning Board and then City Commission.

In researching and formulating proposed code language to regulate this use, staff will examine how other communities have addressed such uses; coordinate with police, fire and other affected city departments to discuss enforcement; and seek input from city residents and Neighborhood Council members.

Mr. Haynes requested that the City Commission accept Ordinance 3049 on first reading, and set a public hearing for February 2, 2010, to consider the moratorium.

Acting City Attorney Chad Parker cited § 76-2-306, MCA, as authority for the City to impose up to a six month moratorium. Staff believes 90 days is an appropriate amount of time to research and address the questions that are raised by the absence of certain language in the Medical Marijuana Act. Mr. Parker requested that the Commission pass the interim ordinance to grant city staff time to develop a proper zoning structure that will accommodate the needs and concerns of the community.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3049 on first reading, and set public hearing for February 2, 2010.

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

Commissioner Bronson commented that, in making this motion, the only action the Commission may potentially take tonight is to set the public hearing for February 2, 2010.

Commissioner Bronson commented that it is his understanding during the interim period of time that there is nothing to prohibit existing users with their cards to have access to their caregivers. Mr. Parker responded that was correct. DPHHS has the authority to issue caregiver cards and allow patients to be registered to caregivers in the interim.

Commissioner Burow commented that there already is a wide array of businesses licensed in the city of Great Falls and subject to fire inspections. He believes the city may already have the proper laws with the license that already exists for businesses. Mr. Parker responded that some of the concerns can be addressed under current zoning ordinances. However, many of the other concerns cannot be at this point in time. There is a lot of gray area that causes concern. From a planning perspective, Mr. Haynes added that staff is attempting to establish what zoning districts are appropriate for this use and what conditions of approval should be placed on the use.

Mayor Winters inquired what concerns the Police and Fire Chiefs had regarding this issue.

Fire Chief McCamley commented that during the 90 day period the Fire Marshal will review the fire codes and work with city staff.

Police Chief Grove commented that the Act is silent with regard to how close these establishments can be located to schools and churches. He also expressed concern about excess production and what DEA will require. There are many issues that need clarification during this moratorium.

Commissioner Jolley asked if it was correct that caregivers could not partake of their “medicine,” and was responded to affirmatively.

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

Rick Rosio, Founder and President of Montana Pain Management, Missoula, commented that he has 700 patients statewide. He discussed clinics providing safe access to people who choose cannabis versus narcotics, and that the providers are responsible and compliant with the law.

Richard Calsetta, 56 32nd Avenue NE, inquired what entity would be reviewing credentials to dispense marijuana; if it would be kept out of residential neighborhoods; and, why pharmacists aren’t trained to dispense marijuana as a prescription to card holders. Mr. Calsetta also discussed prescription drugs being a problem in the city.

Mr. Parker responded that he raised valid points that are not currently addressed by state law. The hope is when the 2011 legislature meets some of these questions will be answered. Chief Grove added that the specific law does not give the Police Department much direction. Time is needed to discuss this issue with other cities and the Attorney General to get some clarification and to establish a good ordinance.

In response to Mr. Calsetta’s concern about what will happen with these drugs when they leave the providers, Commissioner Burow commented that it shouldn’t be any different of a concern than when someone leaves the pharmacy. If there is a criminal element, it doesn’t matter what they have they will find a way to misuse it.

Mayor Winters reminded everyone that the issue tonight is about zoning.

Sue Ann Strickland, 609 2nd Avenue SW #4, urged the Commission to provide a lot of information and time to educate the public.

Mr. Haynes commented that the city is not proposing to change any zoning districts. The city is attempting to determine which existing zoning districts this use will be allowed in.

Mark Frisbee, Attorney at Law, 616 7th Avenue South, provided a petition urging the Commission to reject Ordinance 3049. Mr. Frisbee commented that he has been retained to represent several caregivers. He disagreed that the proposed ordinance shows any urgency per § 76-2-306, MCA. He pointed out that there haven’t been fires or a crime wave during the past four years since the Act was passed.

To address Mr. Frisbee’s comment regarding crime, Detective Pat Brinkman reported that he recently had a case involving three persons from Washington bringing medical marijuana here to sell for profit.

Mr. Frisbee countered that his example is easily dealt with using existing criminal statutes.

Det. Brinkman continued that the concern is that some individuals are using this for illegal activity under the guidance of the Medical Marijuana Act. There needs to be a middle ground to address some of the issues.

Mayor Winters again pointed out that the issue here is zoning.

Mr. Frisbee concluded that existing fire and safety codes are not deficient and already apply to all businesses, which should include caregivers. He believes current laws are sufficient, as well as the criminal and civil remedies for violations. Passage of Ordinance 3049 would negatively affect his clients.

Chris Pettibone, local business owner, inquired if the proposed ordinance pertained to the grow operation or the store front.

Mr. Haynes responded that, given that these are the first two applications for zoning permits, which is a precursor to the safety inspection certification, received by the city, time is needed to address the issues, do the research and establish how to regulate the businesses.

Mr. Pettibone explained the simple process of becoming a caregiver, but the lack of guidance from the Act.

Carl Jensen, Attorney at Law, 118 17th Avenue NW, commented that the reality of the moratorium will limit the caregivers in the community the ability to service any new patients who get a card in the next 90 days. This will force them to go outside the community to get a caregiver to provide them the marijuana. Mr. Jensen reported that most of his practice has involved criminal law. He concluded that the biggest blight in the community is alcohol.

Mayor Winters again reminded everyone to keep to the issue of zoning.

Marko Miller, 1215 3rd Avenue North, commented that he is a patient and a caretaker. As a patient, Mr. Miller commented that the law allows him to grow plants inside his house. He stated that his application is pending at the Cascade County Attorney's office because his business is located outside the city limits. He doesn't think this should be a zoning question. The applications should be handled like any other non-marijuana related business. As a patient, Mr. Miller requested clarification regarding zoning and growing cannabis inside his own home.

Mr. Haynes responded that the moratorium is being requested because this issue is new ground that needs to be researched. Medical marijuana is not a permitted home occupation. No one has come into the Planning Department requesting a permit for a home occupation for medical marijuana in a home

in a residential district. Mr. Parker added that the city of Great Falls has two pending applications. Other larger cities have received hundreds of applications. The city of Great Falls is requesting a short amount of time to address the situation proactively.

Jean Stone, 3225 19th Avenue South, representing NC 5, urged the Commission's approval of the moratorium to allow time to research and establish a well developed ordinance.

Trent Chose, 600 15th Street South, understood the interim ordinance to also limit the number of plants a caregiver can grow, thereby restricting the patient's ability to acquire the medicine. He opined that the ordinance encourages illegal activity. Mr. Parker responded that the plant restriction language is not in the proposed ordinance, and that the ordinance will be posted. Mr. Chose encouraged the Commission to ask the caregivers for answers.

Scott Gordon, 2105 2nd Avenue North, opined that the city was attempting to enact an ordinance that violates the spirit of the Medical Marijuana Act. Mr. Parker responded that was a question for debate. None of the issues are clear at this point in time. Mr. Parker referred everyone to the language of the ordinance to answer many of the questions being addressed.

Commissioner Burow inquired about the ordinance being posted. Mr. Parker responded that one of the requirements is to publish the notice in the *Tribune* seven days prior to the public hearing. The actual ordinance will be posted as well.

Melody Brown, Attorney at Law, 817 Central Avenue West, suggested the proper remedy is to go back to the legislature in Helena to lobby to change the gray, problematic areas in the Medical Marijuana Act. The gray areas should not be filled in by passing a city zoning ordinance. Further, Ms. Brown doesn't believe the immediate need has been shown here and doesn't fall under the statute appropriately.

Kim Sass, no address given, commented that she was a patient. She would like to see patients receiving their marijuana treatment, rather than abusing narcotics.

Female Speaker, no name or address given, challenged the Commission to educate themselves and visit one medical marijuana patient to see what their challenge has been and see how successful they have been growing their six marijuana plants.

Julie Knight, 1110 2nd Avenue North, commented that as a caregiver she is unclear what guidelines to follow until the February 2, 2010, public hearing.

Commissioner Bronson reminded everyone that the only thing being voted on tonight is to schedule a public hearing. There is no moratorium in place unless, on February 2, 2010, this Commission chooses to adopt it.

Motion carried 5-0.

**Consent Agenda, Items
9-11 and 13-15,
Approved.**

CONSENT AGENDA

8. Minutes, January 5, 2010, Commission meeting.
9. Total expenditures of \$2,047,660 for the period of December 31, 2009, through January 18, 2010, to include claims over \$5,000, in the amount of \$1,818,145.
10. Contracts list.
11. Grant list.
12. Set public hearing for February 16, 2010, on Res. 9874 to establish water, sewer, and storm drain utility service rates effective March 1, 2010.
13. Approve Change Order No. 1 in the amount of \$272.50 and final payment in the amount of \$578.12 to Kuglin Construction and final payment to the State Miscellaneous Tax Fund in the amount of \$5.84 for the 2009 CDBG Handicap Ramps. **OF 1565.1**
14. Approve final payment to Kuglin Construction and the State Miscellaneous Tax Fund in the amount of \$500 for the 22nd Street South Storm Drain Extension. **OF 1447.1**
15. Approve final payment to Ed Boland Construction, Inc and the State Miscellaneous Tax Fund in the amount of \$9,649.24 for the Compost Facility Water Main Extension. **OF 1553**

With the exception of Items 8 and 12 to address separately, Commissioner Bronson moved, seconded by Commissioner Jolley, that the City Commission approve the Consent Agenda as presented.

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

Ron Gessaman, 1006 36th Avenue NE, referred to Item 8 and inquired if prior mitigation agreements were researched. Commissioner Jolley responded that the Commission was provided an email that advised that the City had not entered into a similar agreement. With regard to Item 9, Mr. Gessaman noted the PSC fine for renewable energy.

Robert Mehlhoff, 407 9th Street NW, House District 26 Representative, commented that he worked hard to generate the funding in Helena for the Bay Drive project. He also negotiated with Fish, Wildlife and Parks regarding the mitigation. He noted that they are under the gun to get the mitigation completed and hopes everything goes through because they would stand to lose everything.

Motion carried 5-0.

With respect to Item 8, Commissioner Bronson reported that the City Clerk brought to his attention before the start of the meeting that the roll call section of the minutes neglected to include the representative of the Great Falls Housing Authority, Kevin Hager, who attended his first official meeting.

Item 8, Approved as Amended.

Commissioner Bronson moved, seconded by Commissioner Jolley, that the minutes of the January 5, 2010, meeting be accepted with the amendment that the reference to the Great Falls Housing Authority representative be included in the roll call section.

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.

With respect to Item 12 that sets the public hearing for February 16, 2010, on Resolution 9874, Commissioner Bronson commented that Public Works staff made a presentation regarding proposed rate increases. The Commissioners had a quick discussion after that presentation regarding how this issue should ultimately be presented to the public when the public hearing is held on February 16, 2010. It was the desire of the Commission that when this goes forward for a public hearing that the rate increases being discussed be different than those currently reflected in Resolution 9874.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission set a public hearing for February 16, 2010, on Resolution 9874 to establish water, sewer, and storm drain utility service rates effective March 1, 2010, subject to the following amendments:

- (1) that the proposed ~~water and~~ sewer rate increase to be considered be changed from 5% to 7½%;**
- ~~(2) that the storm drain utility rate being proposed be increased by 7½%; and,~~**
- (3) (2) that the chart that accompanies the agenda report showing current versus proposed rates, as well as the public notice, be amended to reflect these proposed increases.**

Those increased percentages were not what Commissioner Jolley remembered their conversation to be and noted that she only wanted 7½% increase in the sewer rate.

Item 12, Approved as Amended.

Commissioner Bronson moved, seconded by Commissioner Jones, to amend the motion to reflect those changes.

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

Motion carried 4-0 (Mayor Winters abstaining).

BOARDS & COMMISSIONS

Tina Cabbage, Steven Hurin and Robert Rudeseal appointed to the Community Development Council.

16. APPOINTMENTS, COMMUNITY DEVELOPMENT COUNCIL.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission appoint Tina Cabbage to a three-year term beginning February 1, 2010, through January 31, 2013, and appoint Steven Hurin and Robert Rudeseal to fill the remainder of three-year terms through January 31, 2011, to the Community Development Council.

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

Motion carried 5-0.

Adam Gill and Susan McCord reappointed to the Community Development Council.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission reappoint Adam Gill and Susan McCord to three-year term through January 31, 2013, to the Community Development Council.

Motion carried 5-0.

Sue Anne Warren reappointed, and Commissioner Mary Jolley appointed as the Mayor's representative to the City-County Health Board.

17. APPOINTMENTS, CITY-COUNTY HEALTH BOARD.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint Sue Anne Warren to three-year term through December 31, 2012, and appoint Commissioner Mary Jolley as the Mayor's representative to serve on the City-County Health Board.

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

Motion carried 5-0.

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Gregory T. Doyon reminded the Commission that it would be making decisions regarding water rights in the future. Suggestions and

recommendations would be brought to the Commission for consideration. He encouraged those interested in participating in Cable 7, a non-profit entity, to view Cable 7's website or contact Cable 7. He clarified that applications for other boards and commissions that are appointed by the Commission can be obtained from the City Manager's Office. Mr. Doyon also clarified that he would bring the draft RFP for the Convenience Center to the Commission for approval prior to issuance. Further, the notice of public hearing on the interim zoning ordinance would be published in the newspaper and it would refer to the availability of the full version on the website.

CITY COMMISSION

20. APPOINTMENT, POLICY COORDINATING COMMITTEE.

Mayor Michael J. Winters appointed as the City representative on the Policy Coordinating Committee.

Commissioner Bronson moved, seconded by Commissioner Jolley, that the City Commission appoint Mayor Michael J. Winters to serve as the City representative on the Policy Coordinating Committee.

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

Motion carried 5-0.

21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Jolley moved, seconded by Commissioner Bronson, that the regular meeting of January 19, 2010, be adjourned at 9:45 p.m.**

Motion carried 5-0.

Mayor Winters

City Clerk

Minutes Approved: February 2, 2010