

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: City Commissioners present: Dona R. Stebbins, Bill Bronson, John Rosenbaum, Bill Beecher and Mary Jolley. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Fiscal Services, Library, Park and Recreation, Planning, Public Works, the Fire Marshal, Police Chief, and the City Clerk.

NEIGHBORHOOD COUNCILS

NC 5.

1A. Tawny Newth, Chair NC 5, reported that the council is involved in a special noxious weed pull event scheduled for June 13th. The event will be held in Russell Park from 9-11 a.m. The focus of the event is education. The Council is partnering with the City Park & Recreation Department and Cascade County Weed Control. The council hopes this will inspire other neighborhood councils to sponsor weed pull events.

Ms. Newth also reported that the Russell Park Committee is working on a long term project for playground equipment at Russell Park. That committee is also working with the City Park & Recreation Department for funding and matching grants for the project. The focus is to replace the outdated and unsafe equipment with play equipment geared for five years of age and younger.

NC 4.

1B. Sandra Guynn, Chair NC 4, thanked Great Falls Pre-Release Director Paul Cory for hosting the council's July meeting. She extended an open invitation to attend the July 23rd council meeting at the Pre-Release Center. She also thanked Debbie Kimball for her presentation on City recycling.

Ms. Guynn discussed the council's issues with 10th Avenue North. Neighbors have complained about the 45 mph speed limit and expressed safety concerns. The City's traffic supervisor explained to the council at its recent meeting that a traffic study was done on June 25, 2008, that didn't indicate any problems. Ms. Guynn reported that the meeting then turned contentious because there wasn't any leeway. She believes government should be working together to resolve something of concern to its citizens. She also asked about "children at play" signs near the Soccer Park, but was told the study didn't indicate a problem that warranted signs. After the recent State soccer tournament, the traffic supervisor did report that the City would be looking into the parking problem at the soccer park and cars parking along both sides of 10th Avenue North to 57th Street. Ms. Guynn requested a report by June 25th regarding what the City plans to do about the parking problem. She reported that the council is in the process of collecting signatures and letters of support to attempt to get the speed limit

reduced to 35 mph.

PUBLIC HEARING

Sale of City property.
Approved.

2. SALE OF CITY PROPERTY, LOT 3H OF AMENDED PLAT OF LOT 3, MEDICAL TECH PARK.

Community Development Director Mike Rattray reported that on May 20, 2009, the City conducted a bid opening for the purpose of selling Lot 3H of Medical Tech Park. One bid was received in the amount of \$195,683 from Premier Care Pediatrics. Staff recommends the City Commission approve this sale.

Mayor Stebbins declared the public hearing open.

Mike Witsoe, 510 11th Street South, asked questions about the City's original purchase of the property, improvements, lot sales, and whether or not the City has profited. Mr. Rattray responded that the City purchased ten acres for \$200,000. Sewer, water, storm sewer, curb and gutter drainage and street improvements were added. After the four lot sales, there will be a remaining balance of \$385,000. After the sale of two more lots, the debt will be paid. The sale of the last two lots will be profit for the City. Based on land sales, he anticipates net profiting \$575,000. Mr. Witsoe asked if the property was appraised. Mr. Rattray responded that an appraisal was obtained from a local appraiser. This property is not within a tax increment district.

Mayor Stebbins closed the public hearing.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission approve the sale of Lot 3H of the Amended Plat of Lot 3, Medical Tech Park, to Premier Care Pediatrics in the amount of \$195,683.

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

Motion carried 5-0.

Res. 9828 and Ord. 3037.
Adopted.

3A. RESOLUTION 9828, ANNEXES NORTHVIEW ADDITION, PHASE 4, LOCATED ALONG A SEGMENT OF 37TH AVENUE NORTHEAST IMMEDIATELY EAST OF 9TH STREET NORTHEAST.

3B. ORDINANCE 3037, ASSIGNS CITY ZONING CLASSIFICATION OF PUD PLANNED UNIT DEVELOPMENT DISTRICT.

Interim Planning Director Bill Walters reported that on February 6, 2007, the City Commission conditionally approved the Preliminary Plat of Northview Addition, Phases 2 - 7. The developer of Northview Addition, Jim Workman Construction Co., has requested approval of the final plat and annexation of Phase 4 of the Preliminary Plat. The subdivision consists of two lots on either side of 37th Avenue Northeast immediately east of 9th Street Northeast with each lot to contain six residential condominium units. Following the public hearing, Mr. Walters requested that the City Commission adopt Ordinance 3037, which assigns a City zoning classification of PUD Planned Unit Development district; adopt Resolution 9828, which annexes the two involved lots to the City; and, approve the final plat and Annexation Agreement all pertaining to Northview Addition, Phase 4.

Mayor Stebbins declared the public hearing open.

Speaking in opposition to Resolution 9828 and Ordinance 3037 was **Ron Gessaman**, 1006 36th Avenue NE. Mr. Gessaman wished the City Commission would adopt the same policy as the County Commission and have a segment at each public hearing for those who desire information. Mr. Gessaman noted that the developers are half way through the phases of the development of Northview Addition. He inquired what “eventually” meant on page 2 of the agenda report regarding 37th Avenue NE being accessible via an extension of 12th Street NE. Mr. Gessaman expressed concerns regarding traffic, safety and lack of access. He also encouraged the City Engineer to get a regional storm water detention pond in place sooner rather than later. With regard to the applicant conditions in the annexation agreement, Mr. Gessaman expressed concerns regarding the soil conditions. Mr. Gessaman inquired about the connection of eight inch water main in the segment of 12th Street NE referenced in the agenda report. Mr. Walters clarified that item relates to when 12th Street NE will be installed to 36th Avenue. There is separate ownership between the south boundary of Northview Addition and 36th Avenue. This developer doesn’t have the capability of getting across that particular piece of property. At some point, the City will have to obtain that right-of-way. The monies mentioned in the agenda report are to cover the costs for the stub-street across that property for water main and street improvements. Mr. Gessaman again asked what “eventually” meant and if the City had a plan. Mr. Walters responded that the preferred approach would be to wait for the development along 36th Avenue, and then as a condition of annexation it will be required to dedicate that right-of-way.

Mayor Stebbins closed the public hearing.

Commissioner Jolley moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9828, and approve the final plat and annexation agreement all pertaining to Northview Addition, Phase 4.

Mayor Stebbins asked if there was any discussion amongst the Commissioners. Commissioner Rosenbaum added that the area is developing as growth occurs. If warranted, a traffic study could be done at some point.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 3037.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Res. 9832. Adopted and set public hearing for July 7, 2009.

4. RESOLUTION 9832, INTENT TO RECREATE THE BUSINESS IMPROVEMENT DISTRICT.

Fiscal Services Director Coleen Balzarini reported that the Business Improvement District has voluntarily assessed itself since 1989 for programs conducted in the downtown business district area. The Business Improvement District is only allowed to exist for 10 years. Then a petition needs to be circulated and re-creation needs to occur. The first re-creation was in 1999. Petitions have now been received by 72% of the property owners requesting that the BID be recreated. Passage of this resolution is the first step to the public hearing and adoption.

Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt Resolution 9832 on first reading, and set a public hearing for July 7, 2009.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

Consent Agenda. Approved.

CONSENT AGENDA

- 5. Minutes, May 19, 2009, Commission meeting.
- 6. Total expenditures of \$761,074 for the period of May 13-27, 6/02/2009

- 2009, to include claims over \$5,000, in the amount of \$511,887.
7. Contracts list.
 8. Lien Release list.
 9. Set public hearing for June 16, 2009, to consider approval of the Great Falls Soccer Park lease agreement. **OF 1397**
 10. Approve Mutual Aid and Assistance Agreement for Water and Wastewater Utilities.
 11. Award construction contract to Coleman Construction, Inc. in the amount of \$44,500 for the Agri-Business Park Sewer Lift Station #30 Generator Slab and Drainage Improvements. **OF 1348.8**
 12. Approve Change Order No. 1 to Planned and Engineered Construction, Inc. in the amount of \$16,980 for the Sanitary Sewer Trenchless Rehabilitation, Phase 13. **OF 1566**
 13. Approve Change Order No. 2 to Dick Anderson Construction, Inc. in the amount of \$57,832.50 for the Water Treatment Plant Headhouse Floor Replacement. **OF 1332.6**
 14. Approve Change Order No. 2 in the amount of \$1,560.80 to Kuglin Construction and final payment in the amount of \$2,475 to Kuglin Construction and \$25 to the State Miscellaneous Tax Division for the 2008 CDBG Handicap Ramps project. **OF 1537.1**

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Consent Agenda as presented.

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

Mike Witsoe, 510 11th Street South, inquired if Item 6 was for a two week period and was responded to affirmatively. He also asked what the payment was to SME out of Item 6 and was told none.

Ron Gessaman, 1006 36th Avenue NE, noted that Item 6 contained a payment for verbenone pouches for the Pine Beetle problem. He inquired when the public should be placing pouches in their trees. Park and Recreation Director Marty Basta responded that the pouches purchased by the Park and Recreation Department are going to supplement spraying on public trees. The pouches will be installed in areas when spraying isn't an option. That will be started early this month and be completed by the 1st of July. Mr. Gessaman discussed Item 11 and wondered why that work didn't occur when the Sewer Lift Station was built. Similarly, with regard to Item 13, Mr. Gessaman commented that the taxpayers deserve to get what they are paying for.

Motion carried 5-0.

BOARDS & COMMISSIONS

**Martin Sinclair
reappointed to the Police
Commission.**

15. REAPPOINTMENT, POLICE COMMISSION.

Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission reappoint Martin Sinclair to the Police Commission for a three-year term beginning July 1, 2009, through June 30, 2012.

Mayor Stebbins asked if there was any discussion amongst the Commissioners or inquiries from the public. No one responded.

Motion carried 5-0.

**Hayley Lennington-
Leray reappointed to the
Business Improvement
District.**

16. REAPPOINTMENT, BUSINESS IMPROVEMENT DISTRICT.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission reappoint Hayley Lennington-Leray to the Business Improvement District for a four-year term through June 30, 2013.

Mayor Stebbins commented that the City is very fortunate to have her on the Board. Mayor Stebbins asked if there were any inquiries from the public. No one responded.

Motion carried 5-0.

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

PETITIONS AND COMMUNICATIONS

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins opened the meeting to Petitions and Communications.

**Commission/ECP
meetings.**

19A. Ed McKnight, 906 3rd Avenue North, played portions of recordings of the last Commission meeting and stated, for a dramatic effect, that he edited the audio. Mr. McKnight opined that the blended rate and losses cut to SME were to his credit after a year of badgering the Commission. He also read a quote by former Mayor Gray.

Pine Beetles, coal plants.

19B. John Hubbard, 615 7th Avenue South, commented that he heard discussion tonight about the trees, and stated he hasn't received answers to his questions. He reported he had his trees sprayed and was told the beetles only fly up to 15 feet high. He referenced a Supreme Court ruling that ordered the EPA not to build coal plants due to the detrimental effect to the

environment.

Filed for seat on City Commission.

19C. Donna May Zook, 2718 Carmel Drive, announced that as of today she filed to run for a seat on the Commission. She reported that she is concerned with the City's leadership. She wants to bring about government integrity that is based on information that reflects public participation; promote City/County relationships to work together in developing smart and responsible growth; advance a clean, safe, productive and self-sustaining community; and, provide children with the necessary advantages to meet the challenges of the future.

ECP/YVEC lawsuit.

19D. Ron Gessaman, 1006 36th Avenue NE, commented that he learned at last night's ECP Board meeting that YVEC filed an Amended Complaint adding the City of Great Falls as a defendant, and discussed the conversations of that meeting regarding insurance coverage.

Election, pool passes.

19E. Mike Witsoe, 510 11th Street South, physically took his hat off his head and tossed it towards the Commissioners stating that in thirty days he may "throw his hat in the ring." He asked to set up an appointment with the City Attorney to discuss if Mr. Bronson gets elected as Mayor, how will his Commissioner seat be filled. Mr. Witsoe stated that he just got back from another six month bipolar trip from the Antarctic. He also wants to set up an appointment with the Park & Recreation Department to discuss season or discount passes for children to use the pools, as well as golf rates.

CITY COMMISSION

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins reported that earlier this evening she had toured the Siebel Soccer Park. After the Memorial Day tournament held there she received half a dozen phone calls reporting how nice the facility was, how happy they were with the well run tournament, and she continues to receive comments from people on the street saying how nice an addition it is to this community. Mr. Jones estimated that approximately \$2.5 million dollars was spent locally during that tournament. The volunteers deserve a great commendation.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Bronson, that the regular meeting of June 2, 2009, be adjourned at 8:00 p.m.**

Motion carried 5-0.

Mayor Stebbins

City Clerk

Minutes Approved: June 16, 2009