

JOURNAL OF COMMISSION WORK SESSION
February 3, 2009

City Commission Work Session

Mayor Stebbins presiding

CALL TO ORDER: 5:30 p.m.

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

1. CODE AMENDMENT FOR WAIVER FOR BUILDING FOUNDATION ONLY

Community Development Director Mike Rattray explained that, prior to the adoption of the Land Development Code, there was no language in the City Codes or anywhere else that prohibited his department from issuing a foundation permit prior to going to the Design Review Board.

The Land Development Code was implemented in 2005. It states, in pertinent part, “The legislative, administrative, and enforcement bodies may not permit or otherwise allow any development to occur that is not in compliance with this Title.”

The project at issue had multiple site issues, but it also had a legitimate timing issue. Issuing a building permit for this project would not have been in compliance with City Codes because this party had not first gone to the Design Review Board.

If the City is going to allow for flexibility in the future, the Code needs to be amended. Mr. Rattray provided the Commissioners with proposed language setting forth criteria should the Code be amended to allow said flexibility. If the Commission decides to change the Code, Mr. Rattray suggested the Design Review Board monitor the Community Development Director as a check and balance.

Mr. Rattray explained how the Design Review Board came about and believes the Board has added to the quality of projects in Great Falls. Since 1997, this is the first issue of this nature that he has had.

Dave Cantley of L’Heureaux, Page, Werner, PC, and member of the Design Review Board, discussed his opposition with the exception. Mr. Cantley explained, in the 14 years that he has been an architect, he has never had a project that he didn’t know many months in advance approximately when the foundation needed to be poured and didn’t already know enough about the building to present it in advance. Issues over the past few years that he has seen were the building being in the wrong location, facing the wrong direction, dumpsters lined up along residential houses, lighting in the eyes of neighbors, being too close to the street to allow proper flow in and out of the site. Mr. Cantley expressed concerns of legal issues for the City by asking a contractor to take out a foundation rather than asking them to delay their start by three weeks. In his opinion, a foundation going in the ground without review sets the rest of the project up for

failure. He added that there was plenty of time in the construction industry to address those items. If special exceptions begin to be made there is an opportunity for that to be manipulated.

City Manager Greg Doyon asked for direction from the Commissioners if they wanted staff to pursue this matter further. After discussion, it was the consensus to leave the wording in the Code the way it is now. If something comes up again in the future, he will bring it before the Commission to see at that time if it something to pursue.

2. INFRASTRUCTURE PROJECTS PRIORITY LIST

City Manager Greg Doyon provided a PowerPoint presentation of infrastructures projects for the City of Great Falls. He discussed projects ready in zero to six months up to projects out longer than 24 months. Said list was prepared in response to the federal stimulus plan. Mr. Doyon explained that he submitted draft lists to both the Montana League of Cities and Towns and congressional delegation. In addition, he sent a letter to congressional members regarding the West Bank project. At this point there is no way to tell how much money Great Falls would receive or what agency would rank the projects. The City Commission will have final approval over any funds received.

ADJOURN

There being no further discussion, Mayor Stebbins adjourned the work session of February 3, 2009, at 6:30 p.m.