

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS: Mayor Stebbins read proclamations for American Indian Heritage Week, Constitution Week, National Public Lands Day and Vets4Vets.

PRESENTATION: Mayor Stebbins announced that New Directions postponed its presentation.

NEIGHBORHOOD COUNCILS

- NC 8.
1. **Karen Grove, NC 8**, requested that the Commission's action on rezoning City-owned land on 38th Street North and River Drive be postponed until after the NC 8 meeting on September 18.

PUBLIC HEARINGS

- Res. 9767. Adopted.
2. **RESOLUTION 9767, LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT, CITY-OWNED RESIDENTIAL LIGHTING NO. 1308.**

Fiscal Services Director Coleen Balzarini reported that the developer of Eagles Crossing Phases II and III requested that the City install 13 lights in this area. The lights have been installed. It is necessary for the property owners to pay for the cost of the installation as well as an annual maintenance fee. Ms. Balzarini requested that the City Commission conduct a public hearing and approve the resolution in order for City staff to assess the costs on the properties.

Mayor Stebbins asked for the direction of the City Commission.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9767.

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9767.

Hearing no public comment, Mayor Stebbins declared the public hearing

closed.

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

Motion carried 4-0.

Res. 9768. Adopted.

3. RESOLUTION 9768, LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT, CITY-OWNED RESIDENTIAL LIGHTING NO. 1310.

Fiscal Services Director Coleen Balzarini reported that this is a new lighting district in Meadowlark Addition No. 5. The City installed twelve 100 watt high pressure sodium lights. Ms. Balzarini requested that the City Commission conduct a public hearing and allow staff to assess for the cost of installation as well as the annual maintenance fee on this lighting district.

Mayor Stebbins asked for the direction of the City Commission.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9768.

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9768.

Hearing no public comment, Mayor Stebbins declared the public hearing closed.

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

Motion carried 4-0.

Res. 9769. Adopted.

4. RESOLUTION 9769, LEVY AND ASSESS SPECIAL IMPROVEMENT LIGHTING DISTRICTS.

Fiscal Services Director Coleen Balzarini reported that Resolution 9769 is to assess the annual maintenance fee only on all of the existing lighting districts. The anticipated cost for the maintenance fees, electricity, transmission distribution and pole maintenance is \$1,277,587. Ms. Balzarini requested that the City Commission conduct a public hearing and approve the resolution to allow these properties to be assessed.

Mayor Stebbins asked for the direction of the City Commission.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9769.

Mayor Stebbins declared the public hearing open. No one spoke in favor of Resolution 9769. Speaking in opposition to Resolution 9769 was **Mike Witsoe**, 2612 1st Avenue South. Mr. Witsoe stated that he has noticed more lights out, and inquired if NorthWestern Energy was responsible for maintaining the lights. Ms. Balzarini explained that the poles are owned by NorthWestern Energy in those lighting districts. The City pays a maintenance fee to NorthWestern Energy. Ms. Balzarini recommended to Mr. Witsoe that he contact Judy Burg in the Fiscal Services Office to report outages and she will contact NorthWestern Energy to follow up, or to contact the NorthWestern Energy customer service number directly. Once NorthWestern Energy is aware of the outage, she reported that they have been prompt about repairs.

Hearing no further public comment, Mayor Stebbins declared the public hearing closed.

Motion carried 4-0.

Ord. 3014. Adopted.

5. ORDINANCE 3014, TO CHANGE THE TITLE OF THE AIRPORT ZONING CLASSIFICATION FROM GFIA GREAT FALLS INTERNATIONAL AIRPORT TO AI AIRPORT INDUSTRIAL DISTRICT.

Planning Director Ben Rangel reported that the Great Falls International Airport Authority has requested the zoning section of the City Land Development Code be amended to change the current title of the airport zoning classification from "GFIA Great Falls International Airport" district to "AI Airport Industrial" district. No other changes to the zoning section are proposed and the current airport zoning classification only applies to airport properties within the City.

This requested change is in preparation of creating a Tax Increment Financing Industrial District for the airport. The State statute governing creation of these districts requires the area to be zoned industrial.

On September 2, 2008, the City Commission set public hearing for this evening. After conducting the public hearing, Mr. Rangel requested that the City Commission adopt Ordinance 3014.

The City Zoning Commission unanimously recommends City Commission approval.

Mayor Stebbins asked for the direction of the City Commission.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 3014.

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Ordinance 3014.

Hearing no public comment, Mayor Stebbins declared the public hearing closed.

Motion carried 4-0.

Ord. 3015. Public hearing continued and final action postponed until October 6, 2008.

6. ORDINANCE 3015, TO REZONE PARCEL MARK NO. P1, SECTION 5, T20N, R4E (CITY-OWNED PARCEL PREVIOUSLY USED AS COMPOST SITE).

Mayor Stebbins reported that this item is to rezone Parcel Mark No. P1, Section 5, Township 20 North, Range 4 East, a City-owned parcel previously used as a compost site. After conducting a public hearing, the Commission is requested to adopt or deny Ordinance 3015.

Mayor Stebbins asked for the direction of the City Commission.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission postpone final action on Ordinance 3015 until October 6, 2008, to give Neighborhood Council 8 opportunity to discuss the proposed zone change.

Mayor Stebbins asked if the motion was also to postpone the public hearing.

Due to the notice of public hearing on Ordinance 3015 having been advertised, Commissioner Jolley clarified her motion.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission conduct the public hearing on Ordinance 3015, and then continue the public hearing and postpone final action on Ordinance 3015 until October 6, 2008.

Mayor Stebbins declared the public hearing open. Speaking in favor of Ordinance 3015 was **Kim Thiel-Schaaf**, on behalf of Brett Doney of the Great Falls Development Authority. Ms. Thiel-Schaaf explained that the GFDA recommended the proposed zone change to make the property more competitive. GFDA has shown the property to prospects and believes the zone change is compatible with the existing land uses in the area. She stated that the GFDA is in favor of postponing action on this Ordinance to allow NC 8 an opportunity to address this matter at its meeting and she will be in attendance to answer any questions.

Speaking in opposition to Ordinance 3015 was **Stuart Lewin**, 615 3rd Avenue North. Mr. Lewin stated that he is a member of a group called Missouri River Citizens. He was on a committee that drafted the Missouri River Corridor Plan. Although the Missouri River Corridor Plan does not

extend to the area covered here, Mr. Lewin believes the principals should still be applied to this particular area. He read two guiding principals and explained the reasons why he believed it would be a mistake to rezone this area.

Mary Gettel, 3419 Fairway Drive, stated that she attended the zoning meeting and it was never asked what NC 8 recommendation was. Ms. Gettel believes 38th Street is a nice buffer from the industrial area. She has concerns of increased traffic if the land were to be rezoned. Ms. Gettel recommended that the property be held in reserve for its highest and best use.

Mike Witsoe, 2612 1st Avenue South, concurred with the prior comments. Mr. Witsoe commented that he was not against development, but believes there will be traffic control issues if the property was rezoned.

Hearing no further public comment, Mayor Stebbins closed the public hearing at this time and restated that the public hearing will be continued to the next meeting.

Commissioner Jolley restated her clarified motion.

Motion carried 4-0.

Adopted Res. 9772, and approved accompanying agreement.

7. RESOLUTION 9772, CONDITIONAL USE PERMIT TO ALLOW ANTENNAE ON WATER TANK AT DUDLEY ANDERSON PARK.

Planning Director Ben Rangel reported that Verizon Wireless, through its agent, RealCom Associates, has applied for a conditional use permit to allow concealed antennas to be placed on the water tank at Dudley Anderson Park. Installation of an equipment building next to an existing utility building was also requested.

The Park is zoned POS Parks and Open Space, which allows telecommunication facilities upon processing and approval of a conditional use permit. The antennas would be attached to the sides of the water tank and would be concealed by panels painted to match the tank.

On August 19, 2008, the City Commission set public hearing for this evening. After conducting the public hearing, Mr. Rangel requested that the City Commission adopt Resolution 9772, which would grant a conditional use permit for the telecommunication facility, and to approve an agreement with specified terms and conditions for the facility.

The City Zoning Commission unanimously recommends City Commission approval.

Mayor Stebbins asked for the direction of the City Commission.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9772, and approve the accompanying agreement.

Mayor Stebbins declared the public hearing open. Speaking in favor of Resolution 9772 was **Paul Slotemaker**, RealCom Associates, 621 SW Alder Street, Suite 300, Portland, Oregon. Mr. Slotemaker stated that he was available to answer any questions and he thanked staff for the report.

No one spoke in opposition to Resolution 9772.

Mayor Stebbins declared the public hearing closed.

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

Amendments to Water Rights and Authorization for City Manager to Execute Documents for Submittal to DNRC. Approved.

8. AMENDMENTS TO WATER RIGHTS 41Q-105494, 41Q-123409, 41Q-105493, 41Q-110040 AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE DOCUMENTS FOR SUBMITTAL TO DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION RELATED TO THE AMENDMENTS.

Fiscal Services Director Coleen Balzarini provided a brief summary of the requested action for the proposed amendments to Gibson Park, Eagle Falls, Anaconda Hills and Odd Fellows Park. The recommendations were originally presented by Mr. Schmidt of Water Right Solutions at the work session on August 5, 2008. The agenda report also sets forth the review that Water Right Solutions performed for the basin that is under adjudication right now and the review that was done in regards to other water rights and their potential impact to the City's water rights as it goes through the adjudication process. Ms. Balzarini reported that no action is requested right now. There are some areas where there is some potential conflict for the City. It is not necessary for the City to specifically object to those. There will probably be other objectors as well and the City will have an opportunity in the future to take some action on that if it was something the City feels was necessary.

David Schmidt, 303 Clarke Street, Helena, Principal and Senior Water Right Specialist of Water Right Solutions, Inc., reported that over the past six months he has prepared claim amendments for the City. He thanked the City Clerk for helping find things, Mr. Basta for pump information, and

especially Dave Dobbs for his endless searches for engineering documents. A discussion took place at the work session and he clarified that the pump at Eagle Falls was the correct one. Mr. Dobbs provided the pump, purchasing information and a lot of detailed engineering plans. Mr. Schmidt recommended that the amendments as presented to the Commission be forwarded to the City Manager for execution. He explained that the requested amendments are routine to reflect historic use of that water. The second topic is Water Right Solutions' analysis of water rights in basin 41QJ. Mr. Schmidt recommended keeping an eye on the objection list when it comes out, and then visiting with those people to determine what their concerns are. At that time, file a notice of intent to appear should the City want to move further into action with the water court. He again thanked City staff for their timely help.

Commissioner Jolley inquired if the Commission received the report in August. Commissioner Bronson responded affirmatively.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission accept the amendments to the four water rights as set forth in the Commission agenda report and authorize the City Manager to execute the necessary documents for submittal of these amendments to the Montana Department of Natural Resources and Conservation.

Mayor Stebbins asked if there was any public comment.

Stuart Lewin, 615 3rd Avenue North, commented that he reviewed Ms. Balzarini's report today on the City's website, but this particular recommendation was not attached. He stated that he then emailed the City so that he could get a copy and there was no reply. He expressed his opinion the importance of the City filing an objection by November 11 to its earlier claims so that it does not lose a substantial portion of its earlier water rights. Mr. Lewin also suggested that the City get a second opinion because Mr. Schmidt was not a lawyer.

Ron Gessaman, 1006 36th Avenue N.E., commented that he spent over an hour this morning researching City website documents for authorization for the City Manager to execute the previous document with respect to the 1889 water rights without success. Mr. Gessaman inquired if a new policy was established to ask the City Commission to authorize these things, because the Commission was now considering something very similar, but a less substantial issue to the City and its residents for the future.

Hearing no further public comment, Mayor Stebbins asked if there was any discussion amongst the Commission.

In response to Mr. Gessaman's comments, Commissioner Jolley stated that she also could not find Commission action on the 2007 water rights

amendment because there wasn't a formal vote like this. Commissioner Jolley also commented that she wasn't saying anything against the expert right now, but the historic Gibson rights are a huge issue. All the decisions sound rational to her, but a second opinion would make a lot of citizens more comfortable with the decisions that were made.

Mayor Stebbins asked if there was any further discussion.

City Manager Doyon clarified that Mr. Lewin was responded to by email this morning, and provided Mr. Lewin with a copy of the August summary. Mr. Doyon stated that the process was changed because water rights are a significant issue and should be before the governing body.

Motion carried 4-0.

ORDINANCES/RESOLUTIONS

Ord. 3016. Accepted on first reading and set public hearing for October 6, 2008.

9. ORDINANCE 3016, TO ESTABLISH CITY ZONING ON FOXWOOD ESTATES.

Planning Director Ben Rangel reported that in April, 2008, the City Commission approved the Preliminary Plat for Foxwood Estates. Dahlquist Realtors, doing business as Foxwood Estates, is the property owner and developer of this subdivision. The subdivision is located in Southwest Great Falls, between Park Garden Estates and Park Garden Lane. It consists of 14 single family residential lots.

Mr. Rangel requested that the City Commission accept Ordinance 3016 on first reading and to set public hearing for October 6th to consider assignment of City zoning. At that time, the City Commission will also be asked to approve the final plat of the subdivision and its annexation.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission accept Ordinance 3016 on first reading, and set a public hearing for October 6, 2008.

Mayor Stebbins asked if there was any discussion amongst the Commission. Commissioner Rosenbaum commented that this has been a weed collecting and dirt repository area and this action will clean up that portion of Great Falls and improve that stretch of road on Park Garden Lane.

Mayor Stebbins asked if there were any inquiries from the public. No one responded.

Motion carried 4-0.

Res. 9770. Adopted.

10. RESOLUTION 9770, TO ASSESS BUSINESS IMPROVEMENT DISTRICT.

Fiscal Services Director Coleen Balzarini reported that, on behalf of the Great Falls Business Improvement District, the City Commission is asked to adopt the assessment resolution for the Business Improvement District. On August 5, 2008, the City Commission held a public hearing and approved the BID's budget and work plan. A portion of the budget takes into consideration the need for assessments from the BID annual fees.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9770.

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

Motion carried 4-0.

**Consent Agenda.
Approved.**

CONSENT AGENDA

11. Minutes, September 2, 2008, Commission meeting.
12. Total expenditures of \$1,499,385 for the period of August 27 through September 10, 2008, to include claims over \$5,000, in the amount of \$1,216,003.
13. Contracts list.
14. Lien Release list.
15. Reschedule regularly scheduled City Commission Work Session and Meeting on October 7, 2008.
16. Set public hearing for October 6, 2008, on Res. 9779, Parking Meter Rate and Meter Violation Fine Increases.
17. Approve Tax Increment Application Process and Forms.
18. Approve Memorandum of Understanding with the Animal Foundation of Great Falls for operation of the dog park.
19. Postpone bid award for one-year Animal Shelter Medical Director contract.
20. Approve Change Order No. 1 in the amount of \$2,818.20 and final payment to Kuglin Construction and the State Miscellaneous Tax Division in the amount of \$663.05 for the 2007 CDBG Sidewalk Replacement Project. (OF1507.2)
21. Award Construction Contract in the amount of \$644,485 to Phillips Construction, LLC for the 14th Street Southwest and 5th Avenue Southwest Water Main Replacements. (OF 1436)
22. Award Construction Contract in the amount of \$49,000 to United Materials for the 2008 CDBG Sidewalk Replacement project. (OF 1537.2)
23. Award Construction Contract in the amount of \$100,650 to Kuglin Construction for the 2008 CDBG Handicap Ramps project. (OF 1537.1)

24. Award Construction Contract to Dick Olson Construction, Inc. in the amount of \$234,794 and approve the use of \$68,143 in additional CTEP funds for the Library Landscaping project. (OF 1508.1)

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission accept the Consent Agenda as presented.

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

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

Stuart Lewin, 615 3rd Avenue North, objected to the SME payment on Item 12 for energy supply expenses for June, 2008. Mr. Lewin read a statement he provided to the ECP Board at its recent meeting. Mr. Lewin also commented that SME was attempting to sell power from HGS to a place in Washington or Oregon and inquired if the trip was paid with City funds out of the SME budget.

Mike Witsoe, 2612 1st Avenue South, commented that he missed the work session regarding parking meter rate and violation fine increases, and requested that the public hearing be postponed for one month to notify the downtown business owners. Mr. Witsoe inquired why the bid award for Item 16 was postponed for the one-year animal shelter medical director contract. With regard to Items 22 and 24, Mr. Witsoe commented that there are many blocks in the Paris Gibson area that he has to ride in the street because there are no handicap ramp accesses.

Ed McKnight, 906 3rd Avenue North, commented on the energy payments to SME, water credits, imbalance charges, and Block One power. Mr. McKnight disagreed with the explanation for Block Three power and opined that the total amount that was not received for water credits and paid in cash instead was more than double the amount of the tax increase on the citizens. He inquired if the explanations were correct and wondered if the City was going to choose to accept any bill sent by Tim Gregori without question.

Motion carried 4-0.

BOARDS & COMMISSIONS

25. AMENDED PLAT OF MEDLEY ADDITION.

Planning Director Ben Rangel reported that Brett Wright, representing Renaissance Assisted Living, has submitted an amended plat of Medley Addition. The amendment splits a lot so that two existing living facilities will be on separate lots. The subdivision is located on the corner of 16th

Amended Plat of Medley Addition and Accompanying Findings of Fact. Approved.

Avenue South and 20th Street, near the MSU College of Technology. With the split, parking, landscaping and separate utility requirements will be met for each new lot.

The City Planning Board unanimously recommends City Commission approval of the Amended Plat and Findings of Fact.

Commissioner Rosenbaum moved, seconded by Commissioners Bronson and Jolley, to approve the Amended Plat of Medley Addition and the Accompanying Findings of Fact subject to the fulfillment of stipulated conditions.

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

Motion carried 4-0.

Lee Ebeling and John Gilbert appointed to the Electric City Power Board of Directors.

26. APPOINTMENTS, ELECTRIC CITY POWER BOARD OF DIRECTORS.

Commissioner Bronson moved, seconded by Commissioners Rosenbaum and Jolley, to appoint Mr. Lee Ebeling to fill the remainder of term through December 31, 2009, and appoint Mr. John Gilbert to fill the remainder of term through December 31, 2011, to the Electric City Power Board of Directors.

Mayor Stebbins asked if there was any discussion amongst the Commission.

Commissioner Jolley recommended that the Commission consider disbanding the Electric City Power Board in the future. She believes it was created to obtain financing for the City's 25% ownership in HGS. Commissioner Jolley stated that she has attended a majority of the Electric City Power Board meetings and can't blame them for not making money on the Electric City Power business because it was the City Commission's job to set the rates. She thanked Mr. Bronson for nominating the two candidates and approved of their nominations.

Commissioner Rosenbaum commented that the Commission has had a discussion whether the function of this Board serves the original purpose. For now, he believes it needs to be maintained because the rates were contracted for through 2011. At that point, it should be revisited.

Commissioner Bronson echoed Commissioner Rosenbaum's comments and added that there was probably a consensus among the members of the Commission that it will be revisiting how Electric City Power was structured and set up. He suspects that as the Commission goes through this process, it will be seeking the input not only of the current members but of

the two people appointed who are more than capable and competent to make recommendations and offer advice to this Commission.

Commissioner Jolley followed up that ECP is an advisory board and the City Commission had the responsibility to set the rates and the Commission did vote to set the rates. Commissioner Jolley stated she never heard any discussions about what was best for the residents or about how much the power costs when the Board was recommending the rates that the Commission set. A lot of cities do have public power entities. But she imagines that they have their own building with a lot of employees and they don't have to rely on one person, like Mr. Gregori, to figure out how to do things. Commissioner Jolley stated that she was sorry the City ever got involved with Mr. Gregori.

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

Ron Gessaman, 1006 36th Avenue N.E., commented that he attended the last Electric City Power Board meeting. At that time the Board passed a motion and that motion was not represented under concurrences on the agenda report. In response to Mr. Gessaman, Commissioner Jolley inquired if he was referring to the Electric City Power Board's recommendation that one of the City Commissioners be on the Board. Mr. Gessaman stated he was referring to the complete motion. Commissioner Jolley responded that it was not on the staff report, but the Commissioners were provided with the information by a different method. Mr. Gessaman pointed out that as a member of the public if he had not attended that board meeting he would not know the recommendation made by the Electric City Power Board.

Stuart Lewin, 615 3rd Avenue North, agreed with the comments made by Commissioner Jolley. Mr. Lewin added that the people that were on the Electric City Power Board were busy selling power to themselves for less than what it was costing the City, and the losses are coming out of the budget. Mr. Lewin suggested that the new people appointed be charged with determining how much the power is really costing.

Mike Witsoe, 2612 1st Avenue South, commented that he also attended the last Electric City Power Board meeting. Mr. Witsoe stated that the Board didn't interview the seven applicants or invite them to the meeting. He has never seen the new appointed members at any Electric City Power Board meeting.

Olaf Stimac, Jr., 57 Country Lane, commented that he believes the Commission made two good choices in Mr. Gilbert and Mr. Ebeling. He thanked the Commission for considering his name and hoped that they would consider him in the future if there was another opening.

Motion carried 4-0.

Julie Duffy reappointed to the Business Improvement District, and the remainder of the appointments were tabled pending more information about the individuals' backgrounds.

27. APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT.

Commissioner Jolley asked to split the reappointment and appointment motions. She explained that she would like to find out more about the candidates. Mayor Stebbins added that the Commission had requested more information with regard to their ties to downtown and did not receive the information in time to vote for two new appointments.

Commissioner Jolley moved, seconded by Commissioner Beecher, to reappoint Julie Duffy for a four-year term through June 30, 2012, to the Business Improvement District.

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

Motion carried 4-0.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission table the remainder of the appointments pending more information about the individuals' backgrounds so that the Commission could make an informed decision.

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

Motion carried 4-0.

28. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

29. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

As a follow up to the Work Session, City Manager Doyon clarified that the parking fund balance was less than \$100,000 in cash.

He also reported that he and the Assistant City Manager will be out of the office next week. Mr. Doyon requested and received approval to appoint Mike Rattray as Acting City Manager while they are out of the office.

Mr. Doyon asked if staff had any news to share with the Commission.

Library Director Jim Heckel announced an additional service that will begin in November. The Library will offer the public access to a large library of downloadable electronic books. The public can now access the website from their own home and download a complete book to their MP3 player or Ipod, or come in to the Library and burn it to a CD and take it with them.

PETITIONS AND COMMUNICATIONS**30. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Stebbins opened the meeting to Petitions and Communications.

**Board appointments,
recycling, green energy.**

30A. Richard Liebert, 289 Boston Coulee Road, thanked the Commission for the Vets4Vets Proclamation, and Aaron Weissman for his leadership with his fellow council members to get the petitions signed for a downtown grocery store. Mr. Liebert also mentioned MAFB starting a curbside recycling program, and discussed green energy and green collar jobs. He urged people to contact Senators Tester and Baucus to support renewing the renewable energy tax credit. Mr. Liebert also reminded everyone that tomorrow is the anniversary of the signing of the United States Constitution and Bill of Rights.

**Community
Conversations Program.**

30B. Kathy Gessaman, 1006 36th Avenue N.E., announced that a program is starting tomorrow at MSU-GF College of Technology called Community Conversations. The first session will be about the Constitutional right to a clean and healthful environment.

ECP.

30C. Ed McKnight, 906 3rd Avenue North, commented that there seems to be a misconception that he was against Electric City Power. He stated that he was not opinionated on it, and that the only thing he has addressed was money. Mr. McKnight stated that he has not received a written response as promised on May 6. Mr. McKnight discussed his spreadsheets, published rates, cost of power and requested financial information. He requested that the Commission address why the numbers don't match.

**Builders to assist seniors
and the disabled, ECP,
HGS.**

30D. Ron Gessaman, 1006 36th Avenue N.E., read a portion of an article about local governments passing initiatives asking builders in their jurisdictions to include at least three features in all new houses to assist seniors and the disabled – no steps at the entrance, a bathroom on the ground level, and wider doorways. Mr. Gessaman also commented that at the last ECP meeting he heard how well things were going with HGS and construction to begin this fall. He read a headline of a Helena publication about victories for opponents of HGS and the records dispute in Great Falls. Mr. Gessaman stated he was eagerly awaiting the list of privileged documents.

**Grant program,
responses to questions.**

30E. Mike Witsoe, 2612 1st Avenue South, read a portion of an article regarding the Montana Department of Transportation's reimbursement program grant available to federally assisted programs that are part of urban transit coordination plans in Missoula, Great Falls and Billings. Mr. Witsoe inquired if the City applied for said grant and believed it could have been used for the bus service. Mr. Witsoe requested written answers to his earlier agenda questions.

Inflation.

30F. John Hubbard, 615 7th Avenue South, commented that he wondered why he asked questions because he doesn't get answers about the tree and inflation issues. Mr. Hubbard does not believe the parking meter rate should be increased.

CITY COMMISSION

31. RESCHEDULE PUBLIC HEARING ON ORDINANCE 3018 FOR OCTOBER 6, 2008.

Mayor Stebbins explained that at the September 2, 2008, City Commission meeting, a public hearing on Ordinance 3018 was set for October 7, 2008. However, due to the October 7 City Commission meeting being rescheduled for October 6, 2008, the public hearing on Ordinance 3018 is also reset for October 6, 2008.

32. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins thanked all the volunteers for the fifth annual Neuter/Spay Clinic.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Rosenbaum moved, seconded by Commissioner Jolley, that the regular meeting of September 16, 2008, be adjourned at 9:09 p.m.**

Motion carried 4-0.

Mayor Stebbins

City Clerk

Minutes Approved: October 6, 2008