

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, Bill Beecher and John Rosenbaum. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Library, Park and Recreation, Planning and Public Works, Fiscal Services Operations Supervisor, the Police Chief, Fire Chief, and the City Clerk.

**PROCLAMATION:** Hog Days of Summer in Great Falls

**NEIGHBORHOOD COUNCILS**

1. There were no miscellaneous reports or announcements from neighborhood council representatives.

**PUBLIC HEARINGS**

**Res. 9741 and Ord. 3007, Annexation and Zoning for West Ridge Addition Phase V. Adopted.**

- 2A. **RESOLUTION 9741, ANNEXES WEST RIDGE ADDITION PHASE V, CONSISTING OF 24 SINGLE-FAMILY RESIDENTIAL LOTS LOCATED ALONG THE WEST BOUNDARY OF 2<sup>ND</sup> STREET NORTHEAST AND ALONG 37<sup>TH</sup> AND 38<sup>TH</sup> AVENUES NORTHEAST.**
- 2B. **ORDINANCE 3007, ASSIGNS CITY ZONING OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT TO PROPERTY.**

Planning Director Ben Rangel reported that in January, 2008, the City Commission approved the Preliminary Plat of West Ridge Addition, Phases V & VI. The subdivision is located in Northwest Great Falls, near the former Skyline Education Center. The property owner and developer, S&L Development, LLC, is now ready to proceed with Phase V, which consists of 24 single family residential lots.

On May 20, 2008, the City Commission set a public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the City Commission adopt Resolution 9741, which would annex the subdivision and to adopt Ordinance 3007, which would assign R-3 Single-family residential zoning, and to approve the final plat and annexation agreement. The City Planning Board/Zoning Commission unanimously recommends Commission approval.

Mayor Stebbins declared the public hearing open. **Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue N.E., asked for clarification regarding whether there would be better storm drain coverage in this area. Public Works Director Jim Rearden responded that this area will also drain into the Northeast Regional Retention Pond. A consultant contract will come before the Commission in the near future to design a detention pond in the upper part of the coulee. A pipe will come out of the retention pond and into the new detention pond. It will drain to the north of Wadsworth Coulee instead of pumping it back over the hill to the river.

No one spoke in opposition.

Mayor Stebbins declared the public hearing closed and asked for the direction of the City Commission.

**Commissioner Jolley moved, seconded by Commissioners Beecher and Bronson, that the City Commission adopt Resolution 9741 and approve the Final Plat and Annexation Agreement all related to Westridge Addition, Phase V.**

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

Motion carried 5-0.

**Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 3007.**

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

Motion carried 5-0.

### **OLD BUSINESS**

**Res. 9749, Creating an Animal Ordinance/Shelter Advisory Committee. Adopted.**

### **3. AMENDED RESOLUTION 9749, CREATING AN ANIMAL ORDINANCE/SHELTER ADVISORY COMMITTEE.**

Assistant City Manager Cheryl Patton reported that Resolution 9749, as amended, would create an animal ordinance/shelter operations advisory committee. The committee would be charged with advising the City Commission on issues concerning animal ordinances and animal shelter operations. Resolution 9749 outlines the committee composition to include best efforts to appoint two members recommended by the Human Society of Cascade County, two members recommended by the Animal Foundation of Great Falls, and three members appointed from the elected Neighborhood

Council members. It is recommended that all members have an interest in resolving issues regarding animals for the betterment of the City of Great Falls. An advisory committee was recommended in the Staton report, and also by Elizabeth Baker, the Special Examiner hired by the Commission to review complaints regarding the City's operation of the shelter. The City Commission is asked tonight to consider adopting or denying Resolution 9749, as amended.

**Commissioner Beecher moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 9749 as amended.**

Mayor Stebbins asked if this would follow the general pattern of City advisory boards wherein the City would advertise for applications and then make an appointment. Ms. Patton answered that two members would be recommended by the Human Society of Cascade County, two members by the Animal Foundation of Great Falls, and the City Commission would still have to make those appointments.

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

Mayor Stebbins asked if there were any comments from the public regarding Resolution 9749. **Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., commented that this resolution is contrary to when the City got involved in the Animal Shelter about a year ago. The public was promised that the City would only be involved 60-90 days, and now it looks like the City is a permanent fixture in the Animal Shelter. Mr. Gessaman inquired whether, at the end of the three year term, the advisory committee would terminate or be renewed, and how would it be determined that its function had been served. Commissioner Jolley responded that three years will determine whether it was functional and whether the Commission wanted to continue it. Commissioner Jolley added that the possibility exists in the future that enforcement operations could be contracted out as was done in the past.

Motion carried 5-0.

## **NEW BUSINESS**

**Fire Protection and  
Emergency Services  
Agreement between  
Southern Montana  
Electric G&T and City of  
Great Falls Fire Rescue.  
Adopted. OF 1472.2**

**4. FIRE PROTECTION AND EMERGENCY SERVICES  
AGREEMENT BETWEEN SOUTHERN MONTANA ELECTRIC  
G&T AND CITY OF GREAT FALLS FIRE RESCUE.**

Fire Chief McCamley reported that this agreement would authorize the City's Fire Department to provide fire protection and emergency services to Southern Montana Electric's Highwood Generation Station facility, located approximately eight miles east of Great Falls. The City agrees to provide fire protection, emergency medical services, hazardous materials response, special operations services, fire prevention activities and employee safety training for

an annual fee ranging from \$150,000-\$300,000. The Fire Department will make the final fee calculations based upon anticipated services at the facility. This fee will be reviewed annually and increased as needed to account for additional costs of service delivery. Once determined, the annual fees will be brought back before the City Commission for approval.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Fire Protection and Emergency Services Agreement for Highwood Generating Station and authorize the City Manager to execute the agreement, direct staff to present the referenced list of fees for Commission approval, as well as annual fee reviews thereafter.**

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

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

**Larry Rezentes**, 2208 1<sup>st</sup> Avenue North, commented that consideration of this agreement is premature, there are pending issues with HGS, paragraph six is vague, and recommended that the Commission defer action to a later point in time.

**Stuart Lewin**, 615 3<sup>rd</sup> Avenue North, commented that he is opposed to the City's continued involvement with SME for various reasons, and he questioned the legality of paragraph six.

**Tim Gregori**, General Manager of SME, commented that this is a request by an entity to have the City provide services and for the City to receive adequate compensation for the provision of those services. Mr. Gregori explained that the agreement language with regard to funding is to make sure that there is adequate flexibility to put in place the costs to make sure that the City is protected, and to revisit the costs on an annual basis. Mr. Gregori encouraged the support and approval of this agreement.

**Brett Doney**, Great Falls Development Authority, 3048 Delmar Drive, commented that this is simply a question, in partnership with Cascade County, can the City attract a major industrial development that will improve the tax base in Cascade County by 25% and create a number of excellent, high paying jobs. This is an example of a partnership between the City and Cascade County and how they can work together and use the strengths of both to attract industrial development. By having this foundational piece in place it allows a developer, like SME, to strengthen its hand in getting financing so that the project becomes a reality. He urged the Commission to move forward with this agreement.

**Mary Jaraczski**, 22 Cree Way, counsel on behalf of SME, commented that one of the reasons for this agreement was that, as part of the zoning, Cascade

County requested that SME enter into an agreement with the City for the purposes of fire protection. Ms. Jaraczeki disagreed with the comment that this agreement is premature. Chief McCamley discussed this with SME for over two years in full anticipation of providing fire services to the facility. To the extent that the City is providing a service outside of City limits, it is expected that 65% of the workers on site will be residents of Great Falls. Ms. Jaraczeki also disagreed with the comment that paragraph six is vague. In 2007, the City did a comprehensive study of the costs of fire services. The Fire Department is currently updating those costs. Ms. Jaraczeki believes that SME and the City have done their due diligence and requested the Commission pass this agreement today.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., commented that he would like to get the same statistics and data. Mr. Gessaman commented that 18 minutes to respond to a fire at an industrial facility would do a lot of damage. The agreement refers to cold water rescue activities and indicates to him that the agreement was not drafted specifically for this facility.

Motion carried 5-0.

### **ORDINANCES/RESOLUTIONS**

**Revised Ord. 3002, Extending the land acquisition date referenced in the original Ord. 3002. Accepted Revised Ord. 3002 on first reading and set public hearing for July 15, 2008.**

**5. REVISED ORDINANCE 3002, EXTENDING THE LAND ACQUISITION DATE REFERENCED IN THE ORIGINAL ORDINANCE 3002 (CVS PHARMACY).**

Planning Director Ben Rangel reported that on April 15, 2008, the City Commission adopted Ordinance 3002 to rezone six residential lots along 9<sup>th</sup> Avenue South between 20<sup>th</sup> and 21<sup>st</sup> Streets to accommodate a CVS Pharmacy, as proposed by The Velmeir Companies. Ordinance 3002 contains a provision that should The Velmeir Companies fail to acquire the lots by August 31 of this year, the Ordinance would become null and void and the lots would remain zoned as single family residential. The Velmeir Companies has requested the land acquisition date in the Ordinance be extended to April 30, 2009, to provide adequate time to begin construction in the spring of 2009, instead of late this summer as initially anticipated.

Mr. Rangel requested that the City Commission accept Revised Ordinance 3002 on first reading and to set a public hearing for July 15, 2008.

**Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission accept Revised Ordinance 3002 on first reading, and set a public hearing for July 15, 2008.**

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

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

**Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue N.E., asked for clarification regarding noise and inquired if this took into account a child learning to play a tuba. Mayor Stebbins responded that she was commenting on the wrong Ordinance.

Motion carried 5-0.

**Ord. 3009, Disorderly Premises. Accepted Ord. 3009 on first reading and set public hearing for July 1, 2008.**

**6. ORDINANCE 3009, DISORDERLY PREMISES.**

City Manager Gregory T. Doyon reported that this product is the result of a discussion initiated at an Agenda meeting in April with concerns being expressed about preserving the integrity of the neighborhoods by making sure that police aren't continuously responding to certain properties on a regular and frequent basis. This ordinance was initially adopted in Portland, Maine, and tailored to the prior community where he resided in Franklin, New Hampshire. He suggested the potential use in Great Falls. It creates a notification system for a property owner that there is a continued problem at the property defined by the terms in the ordinance. It provides remedy for the City should the property owner not take an action plan. He noted that the ordinance that he was familiar with gave five warnings before the premises was considered to be disorderly, and this proposed ordinance gives three. This creates a dialogue with the City. The hope is to prevent ongoing police response to these certain disruptions, and a remedy for the City should the property owner not comply. Most people are thankful to get a warning that these kinds of activities are occurring so that they can remedy it. Most landlords are very receptive and responsive to initiating a plan of correction and working with the City to correct it.

Commissioner Jolley stated that Mr. Doyon kept mentioning landlords. Mr. Doyon corrected himself that he should have said property owners. Another comment that he heard since this has been introduced is that maybe it isn't strict enough and the City should be notifying the landlord or property owner each time there is a call. That is not practical. This will target those properties that are problematic and it gives the City the ability to work with them to resolve those issues. Commissioner Jolley responded that, in resolving those issues, there has to be an effective plan. She inquired if he had sample plans, and asked what plan is effective. Mr. Doyon answered that it depends on the circumstances at the property. The City will exercise discretion and give some grace to the property owners that are going through a situation, such as an eviction working its way through the courts. The spirit and intent of this ordinance is to get the landlord to recognize that there is a problem and demonstrate to the City that they are working to resolve it. That way the City can also work with the neighbors who have expressed concern.

**Commissioner Bronson moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission accept Ordinance 3009 on first reading, and set public hearing for July 1, 2008.**

Mayor Stebbins stated that, if she had a disorderly tenant that was wrecking her property, she would want to know the first time the police were called. She asked if notification form letters could be sent the first time. Mr. Doyon respectfully responded that there probably was, but it would be an operational nightmare to do that. He understands the desire to have that communication, but there is a certain level of accountability that the property owner has to have if they are going to be in that business. There are a lot of things the City can't mandate with regard to how they conduct their business. However, if it becomes excessive, this ordinance comes into play. Mr. Doyon explained the sample warning letter that outlines the calls received by the Police Department, the nature of the calls, and advises the property owner that the City has a disorderly premises ordinance that they could be in violation of and who they need to contact.

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

Mayor Stebbins asked if there was any public comment.

**Rhonda Wiggers**, on behalf of Great Falls Association of Realtors, 3208 2<sup>nd</sup> Avenue South, thanked the City Manager for listening to their concerns. Ms. Wiggers requested that the option for posting notices on doors be changed to notices sent by mail and signed for, and that the notification language be changed to five days after the notice was signed for. Ms. Wiggers expressed concerns about due process rights and explained that courts have thrown out eviction cases because you have to wait for a conviction. The person is innocent until proven guilty. If the person doesn't receive a ticket, go to court, and be fined or convicted, then the landlords' ability to evict is limited. She explained that sometimes it takes up to three months to get the eviction and get the tenant out of the building and believed the police would be called a lot during those three months. The realtors would like to open more dialogue with the Police Department. She suggested using the ordinances that exist instead of a threat to fine the property managers or landlords when the tenant wasn't ticketed resulting in no legal basis to evict.

**Aaron Weissman**, Chair NC 7, 315 4<sup>th</sup> Avenue North, thanked the City Commission and the City Manager for their leadership in beginning to address a problem that is plaguing the lower north and south sides of Great Falls. The Council is not recommending any specific action at this time. He emphasized the neighbors are fed up with crime. The neighborhoods want a policy and accountability whether a problem on a property is created by an owner or a tenant. At the same time they feel that owners should not be capriciously punished. Mr. Weissman asked if, by police visiting the premise, met the threshold should there not be a ticket written. If it did not, then the landlord would be punished for something they couldn't do anything about. He also inquired if 30 days was a long enough period for the definition of a disorderly premise, and added that 65 days would cover two paychecks. The council would like to know what the specific results of this policy were in New

Hampshire and Maine.

**John Hubbard**, 615 7<sup>th</sup> Avenue South, commented that this ordinance looks like another way to get in somebody's wallet, and this would be making a policeman out of a landlord.

**Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue N.E., was concerned about the definition language regarding sounds emanating from within a structure which are audible outside the structure. She requested more clarification with regard to how much noise is allowed during the day versus evening hours, and asked how records would be kept.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., clarified something his wife said regarding sounds emanating from within a structure which are audible outside the structure, and asked if that meant if he heard his neighbor singing in the shower at 5:45 a.m., he could call the cops constituting one visit. He believes that phrase could result in a big problem with selective enforcement.

**Tom Powers**, 617 2<sup>nd</sup> Avenue North, commented that this ordinance is unconstitutional on its face. The first time a conviction is challenged the Supreme Court will shoot down this ordinance on the grounds that this is a scheme to bypass citizens' due process rights. Mr. Powers inquired if a person were summoned to court, would he be allowed to challenge the validity of each complaint. He also inquired if the complainant would be anonymous. He referred to the Oregon case of Scott Rohter. Mr. Powers commented that the proposed ordinance is too vague, that a defense attorney could ask for a Writ of Supervisory Control over any judge who tried to preside over such a case. It could result in opening up the Municipal Court practices because there is a question whether minor offenses such as this are more revenue oriented. That is unconstitutional. You can't jail people for mere failure to pay a fine. He advised the Commissioners to check with the University of Montana Law School and talk with an expert on constitutional law, or call other city attorneys. Mr. Powers suggested an alternative to teach people to collect evidence, take pictures, and to use existing Montana laws.

Motion carried 5-0.

Mayor Stebbins suggested postponing the public hearing to the second meeting in July to address some of the concerns and allow Mr. Gliko to look at the legal issues. City Attorney Gliko responded that certainly the Commission has the authority to set the public hearing at any time.

Commissioner Bronson added that the motion adopted was to schedule the public hearing for July 1. The hearing can be continued on that date.

Commissioner Beecher added that this is the most dialogue he has heard on a motion to simply put something in a public meeting format in his history on the Commission.

Mayor Stebbins restated that Ordinance 3009 was accepted on first reading, and the public hearing is set for July 1, 2008.

**Res. 9755, Authorizing the issuance and fixing the terms and conditions of \$4,010,000 in water revenue bonds. Adopted.**

**7. RESOLUTION 9755, AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS OF \$4,010,000 IN WATER REVENUE BONDS.**

Fiscal Operations Supervisor Martha Cappis reported that in May, 2008, the Commission authorized City staff to proceed into a loan agreement with the Department of Natural Resources to fund \$4,010,000 in water revenue debt. This debt will be used to construct approximately seven areas in need of water main replacements. Resolution 9755 authorizes the issuance and fixes the terms of the debt.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Bronson, that the City Commission adopt Resolution 9755.**

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

Mayor Stebbins asked if there was any comment from the public. No one responded.

Motion carried 5-0.

**Consent Agenda.  
Approved as printed.**

**CONSENT AGENDA**

8. Minutes, June 3, 2008, Commission meeting.
9. Total expenditures of \$1,211,763 for the period of May 26-June 11, 2008, to include claims over \$5,000, in the amount of \$1,025,664.
10. Contracts list.
11. Set public hearing for July 1, 2008, on Resolution 9754, Cost Recovery for 209 2<sup>nd</sup> Avenue North.
12. Set public hearing to consider the sale of City-owned property, Lot 3F of Amended Plat of Lot 3, Medical Tech Park.
13. Authorize release of tax increment surplus and approve internal loan repayment to Central Garage for construction expenses related to Downtown Parking Garage.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Bronson, to approve the Consent Agenda as presented.**

Motion carried 5-0.

**BOARDS & COMMISSIONS**

**Preliminary Plat, Water Tower Addition. Approved.**

**14. PRELIMINARY PLAT, WATER TOWER ADDITION, CONSISTING OF 16 SINGLE-FAMILY LOTS LOCATED ALONG 14<sup>TH</sup> STREET NORTHEAST IN THE VICINITY OF 35<sup>TH</sup> AVENUE NORTHEAST.**

Planning Director Ben Rangel reported that Tim Spencer and Dana Hennen, doing business as TD Land Development, are the property owners and developers of this subdivision. They have requested City Commission approval of the Preliminary Plat and Findings of Fact for Water Tower Park Addition. The subdivision is located in North Great Falls, just southwest of the City's water tower near 36<sup>th</sup> Avenue Northeast and Bootlegger Trail. It consists of 16 residential lots.

The City Planning Board unanimously recommends Commission approval.

In the future, and as the developers are ready to proceed, the City Commission will be requested to consider the final plat of the subdivision, its annexation and the assignment of City zoning.

**Commissioner Jolley moved, seconded by Commissioner Beecher, to approve the Preliminary Plat of Water Tower Park Addition, and the accompanying Findings of Fact, subject to the fulfillment of stipulated conditions.**

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

Mayor Stebbins asked if there was any comment from the public. No one responded.

Motion carried 5-0.

**15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**CITY MANAGER**

**16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Gregory T. Doyon updated the Commission that members of the Great Falls Fire Department participated in a regional hazmat exercise drill in Helena on June 3. The goal was to work on interoperability and multiple agencies dealing with hazmat incidents. The Fire Department continues to train and work with other agencies. Mr. Doyon reminded the Commission about a letter from Brett Doney regarding potential rezoning of City owned property on 38<sup>th</sup> Street and River Drive North. The Commission authorized Mr. Doyon to go forth and sign that rezone initiation request. Mr. Doyon also confirmed that he and Commissioner Bronson would be the City delegation with the CCHD in terms of looking at the structural issues and trying to resolve

financing issues. He initiated contact with Allene Mares and will be meeting with the County delegation in the next couple of weeks.

**PETITIONS AND COMMUNICATIONS**

**17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Stebbins opened the meeting to Petitions and Communications.

**Mass Transit System,  
Wind Power, ECP.**

**17A. Richard Liebert**, 289 Boston Coulee Road, commented in support of a mass transit system and the wind park in Billings. Mr. Liebert made comments in opposition to Mr. Gregori's work session information. He wants to see the City Charter and ECP bylaws enforced regarding the meeting attendance policy.

**HGS, Inflation.**

**17B. John Hubbard**, 615 7<sup>th</sup> Avenue South, commented on the Supreme Court decision that directed the EPA to not build coal generating plants as they are against the Clean Air Act. Mr. Hubbard also commented on inflation, taxes and politician's wages.

**Cancer, Pollution, HGS.**

**17C. Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue N.E., thanked Dorothy Thompson for donating the book "Secret History of the War on Cancer" to the Great Falls Public Library. Ms. Gessaman discussed causes of cancer. She doesn't want to have a new source of pollution in our territory when we can solve a lot of problems by net metering and conserving. New technology is coming around and Ms. Gessaman urged the Commission to not further support HGS.

**HGS.**

**17D. Ken Thornton**, 41 Paradise Lane, commented that the information provided at the work session was the same as what the Commission had received the past four years. Mr. Thornton commented that the \$2 million already invested is nothing, and that what is at stake is the 40 years. Coal will be expensive power. He urged the Commission to get additional advice and then debate.

**Code of Ethics, ECP  
Board Member  
Attendance.**

**17E. Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., read OCCGF 2.52.050(o). Mr. Gessaman commented that six weeks ago he provided an ECP board member attendance record, and two members were in violation of the code. He urged the Commission to take action and enforce the codes.

**CITY COMMISSION**

**18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Bronson responded to Mr. Gessaman's concern and that he did investigate the attendance records of all members of Electric City Power back to 2006. Mr. Gray and Ms. Willey were absent more than the number of meetings required in the attendance policy. Commissioner Bronson outlined considerations that must be looked at before Commission action. He read

OCCGF 2.56.010. There is a specific ordinance dealing with ECP which provides that it takes a 4/5 vote of members of the Commission to remove any director of ECP. There is potentially a legal question whether or not people can simply be removed in accordance with the provisions of Title 2 because of that policy. Title 2 also gives an opportunity to the person to be removed to have a hearing on the terms of their removal. The issue is moot with respect to Mr. Gray as he has indicated he is stepping down from the Board. With respect to Ms. Willey that, despite what appears in the record, some of her reasons for not being present involve medical reasons and if we do assume that Title 2 is what applies, she has the opportunity to respond to that first. Mr. Gessaman has not been ignored on this issue.

Commissioner Jolley thanked the Sanitation Department for going through all the alleys and picking up all the branches even though they weren't the recommended size.

Commissioner Beecher commented that the Fourth of July holiday is fast approaching and assumed the City had some type of program in place to re-educate and re-inform the public about the fireworks ordinance. City Clerk Lisa Kunz responded that Fire Marshall Bennyhoff faxed public service announcements to all of the media sources.

Commissioner Rosenbaum commented about hearing the same issues. He added that part of the reason we are headed towards the energy impact of supply and demand is that people are not conserving, the air is cleaner now than before the industrial age occurred, and that none of us can afford to try to enact zero tolerance. We have to accept that there is some pollution as we all drove here tonight.

Mayor Stebbins reminded everyone about the Water Park opening on Saturday, as well as the Beautiful Mind Walk at Elks Riverside Park sponsored by the Center for Mental Health.

### **ADJOURNMENT**

**Adjourn.**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of June 17, 2008, be adjourned at 8:46 p.m.**

Motion carried 5-0.

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Mayor Stebbins

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City Clerk

Minutes Approved: July 1, 2008

