

Regular City Commission Meeting

Mayor Pro Tempore Bill Bronson presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

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

PRESENTATION: On behalf of the members of the first class of the Citizens Academy, JoAnn Null presented awards to Sgt. Stinar and Officer Klundt, as well as a check in the amount of \$235 to Chief Grove, on behalf of the Great Falls Police Department, to express their gratitude for his support of the program.

NEIGHBORHOOD COUNCILS

NC 4

1. **Sandra Guynn, NC 4**, asked for an update regarding her request to look into the possibility of annexing 10th Avenue North from 38th to 57th Streets. Planning Director Ben Rangel responded that staff has begun the process of looking into the possibility of annexing 10th Avenue North and will be preparing a report to the Commission for its consideration.

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Ord. 3007, Assign City Zoning to West Ridge Addition Phase V.

Accepted Ord. 3007 on first reading and set public hearing for June 17, 2008.

2. **ORDINANCE 3007, ASSIGN CITY ZONING TO WEST RIDGE ADDITION PHASE V.**

Planning Director Ben Rangel reported that in January, 2008, the City Commission approved the Preliminary Plat of West Ridge Addition, Phases V and 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 does consist of 24 single-family residential lots. Mr. Rangel requested that the City Commission accept Ordinance 3007 on first reading, and set public hearing for

June 17, 2008, to consider assignment of City zoning, approve the Final Plat for Phase V, as well as its annexation.

Commissioner Beecher moved, seconded by Commissioner Jolley, that the City Commission accept Ordinance 3007 on first reading, and set public hearing for June 17, 2008.

Mayor Pro Tempore Bronson asked if there were any comments from members of the public, or any discussion amongst the Commission. No one responded.

Motion carried 4-0.

Res. 9753, Designating the Great Falls Convention Visitors Bureau to receive Lodging Facility Use Tax (Bed Tax). Adopted.

3. RESOLUTION 9753, DESIGNATING THE GREAT FALLS CONVENTION VISITORS BUREAU TO RECEIVE LODGING FACILITY USE TAX (BED TAX).

Carol Lindseth, President of the Great Falls Convention and Visitors Bureau, reported that the newly formed Great Falls Convention and Visitors Bureau recommends that the City Commission adopt Resolution 9753, approving the change in the designated non-profit entity to receive the Lodging Facility Use Tax (Bed Tax) revenues.

Mayor Pro Tempore Bronson asked if there were any questions from the Commission. There being none, Mayor Pro Tempore Bronson stated that he would entertain a motion.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9753, contingent upon the Great Falls Convention and Visitors Bureau receiving 501(c)6 status from the IRS.

Mayor Pro Tempore Bronson asked if there were any comments from members of the public, or any discussion amongst the Commission. No one responded.

Motion carried 4-0.

Res. 9749, Creating an Animal Shelter/Enforcement Advisory Committee. Tabled and reset for June 3, 2008.

4. RESOLUTION 9749, CREATING AN ANIMAL SHELTER/ ENFORCEMENT ADVISORY COMMITTEE.

Mayor Pro Tempore Bronson stated that, although the agenda indicates that Cheryl Patton, Assistant City Manager, was to offer a report, he requested that another motion be made and seconded from a member of the Commission, and then there would be discussion about it.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission table the adoption or denying of Resolution 9749 until June 3, 2008.

Mayor Pro Tempore Bronson stated that, just for the public's information, individual members of this Commission have received some comments from members of the community about this particular Ordinance [*sic*]. There has been some discussion by members of this Commission in budget meetings about what role the City may play in the future with respect to animal control and enforcement issues. There is a consensus among the members of the Commission at this time that the public has not yet had an opportunity to sufficiently digest this Ordinance [*sic*], what the scope and role of this committee would be, and whether or not the Commission wants to proceed along the lines of what is set forth in the proposed action item. In deference to the community, the Commission is going to table this matter, assuming the vote carries tonight, and then take the matter up with public comment at the June 3, 2008, meeting.

Mayor Pro Tempore Bronson asked if any members of the public wished to comment on the motion or the matter that is currently pending before the Commission.

Richard Liebert, 289 Boston Coulee Road, commended the thoroughness of the staff report in that it included the background, fiscal impact, concurrences and alternatives.

Motion carried 4-0.

**Consent Agenda.
Approved as printed.**

CONSENT AGENDA

5. Minutes, May 6, 2008, Commission meeting.
6. Total Expenditures of \$1,078,648 for the period of May 1-14, 2008, to include claims over \$5,000, in the amount of \$884,757.
7. Contracts list.
8. Lien Release list.
9. Set public hearing for June 3, 2008, on Res. 9744, Cost Recovery at 209 2nd Avenue North.
10. Set public hearing for June 3, 2008, for consideration of sale of city-owned Highland Park property.
11. Approve exception request to the Housing Loan Policies for the maximum loan to the owner of property at 718-726 1st Avenue North.
12. Approve Memorandum of Understanding for Creation of a Tax Increment Financing Industrial District for the Great Falls International Airport.
13. Approve final payment to Phillips Construction and the State Miscellaneous Tax Division in the amount of \$8,807.19 for the 7th and 3rd Avenues North Water Main Replacements.
14. Award contract to DPC Industries, Inc., for the purchase of anhydrous

ammonia in the amount of \$150 per 147-lb cylinder for FY 2008/09.

15. Award contract to DPC Industries, Inc., for the purchase of liquid chlorine in the amount of \$648 per ton for FY 2008/09.
16. Award contract to Thatcher Company for the purchase of liquid aluminum sulfate in the amount of \$285 per dry ton for FY 2008/09.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, to approve the Consent Agenda as presented.

Mayor Pro Tempore Bronson asked if there was any discussion amongst the Commission. There being none, Mayor Pro Tempore Bronson called for the vote.

Motion carried 4-0.

Mayor Pro Tempore Bronson asked if there was any public discussion from the public. No one responded.

BOARDS & COMMISSIONS

**Revised Final Plat,
Building Setbacks and
Development Agreement
for Prairie Ridge Estates.
Approved.**

17. REVISED FINAL PLAT AND DEVELOPMENT AGREEMENT FOR PRAIRIE RIDGE ESTATES.

Planning Director Ben Rangel reported that in September, 2007, the City Commission approved the Final Plat, Development Agreement and the Rezoning Ordinance for Prairie Ridge Estates Addition, as recommended by the Planning Board/Zoning Commission. The subdivision is located at the south end of Upper River Road and consists of 20 single-family residential lots and one lot for 12 residential condominium units. The property within the subdivision was also rezoned from R-1 single-family residential to PUD Planned Unit Development. The property owners and developers have requested the project be revised due to the inability to meet public roadway grades as required by City code. The two most significant changes include making Ridge View Drive within the subdivision a private roadway instead of a dedicated public roadway, and narrowing its width from 35 feet to 30 feet from back of curb to back of curb. Upon a vote of 4-2, the Planning Board/Zoning Commission recommended the City Commission approve the Revised Final Plat, building setbacks and Development Agreement. The dissenting votes were primarily concerned that, as a result of making the roadway private and narrowing its width, the developer will also plan to eliminate the adjoining sidewalks. The four votes in favor of the requested revisions acknowledged that sidewalks are a desired facility, but recognized that within a PUD zoned development with private ownership and maintenance of infrastructure facilities, that it is up to the developer's prerogative to install or not install certain facilities, including sidewalks. However, all life safety and emergency vehicle access will be required and will be provided within the subdivision.

Commissioner Jolley moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Revised Final Plat, Building Setbacks and Development Agreement for Prairie Ridge Estates Addition as recommended by the City Planning Board.

Mayor Pro Tempore Bronson asked if there were any public comments or inquiries. No one responded. Mayor Pro Tempore Bronson asked if there were any questions from the Commission

Commissioner Jolley asked what the inability to do the road grading meant. Mr. Rangel responded that the primary roadway within the subdivision, because of the steepness of the topography, would exceed the 10% grade that City code requires. The developer was willing to accept the liability and responsibility for a steeper grade.

Commissioner Beecher asked if this was a gated community where access is restricted. Mr. Rangel responded that, as part of the request for revision to the Final Plat, the developer's representative did provide about 10 points they were requesting to be revised within the Plat. The fact that the roadway would be private and the Homeowner's Association would be responsible for maintenance of the roadway, they also stated that it would become a gated community. That is still an item up for consideration by the developer.

Mayor Pro Tempore Bronson inquired if any questions from members of the Commission invited any comment from the public.

Casey Fowler, 1112 Harrison Street, inquired what gated community meant. Mr. Rangel responded that the homes that are built within the subdivision being served by a private roadway would have an electronic gate of sorts at the entrance to the subdivision so that only the residents that live in that area or who provide authorization to others to enter the subdivision would have the ability to open the gate to go into the subdivision.

Motion carried 4-0.

18. APPOINTMENT, GREAT FALLS HOUSING AUTHORITY BOARD.

**Katherine Pickens
appointed to the Great
Falls Housing Authority
Board.**

Commissioner Jolley moved, seconded by Commissioner Rosenbaum, that the City Commission appoint Katherine Pickens as a tenant member for a two year term through June 30, 2010, to the Great Falls Housing Authority Board.

Mayor Pro Tempore Bronson asked if there was any discussion among the Commission or any inquiry or comment from the public. Hearing none, he called for the vote.

Motion carried 4-0.

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**CITY MANAGER**

Great Falls EMS, Great Falls Development Authority, MAFB, SME.

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Gregory T. Doyon updated the City Commission that the Fire Chief and the City Attorney continue to work on reviewing the proposed ambulance contract with Great Falls EMS and are hoping to provide them with feedback in the coming week. In the past week, he had been involved with Great Falls Development Authority business recruitment sessions. He stated that he had also been out to MAFB, and also attended a farewell dinner for Col. Finan. He also continues to work with Coleen Balzarini with regard to summarizing the City's current status with SME and what options the City Commission has at this juncture. He was in Billings last Thursday and Friday and with some recent developments there, he wants that information inserted in the memo as well.

Mayor Pro Tempore Bronson asked if there were any questions for Mr. Doyon. No one responded.

PETITIONS AND COMMUNICATIONS**21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Pro Tempore Bronson opened the meeting to Petitions and Communications.

Cost of Power.

21A. Ed McKnight, 906 3rd Avenue North, read a list of information he requested two weeks ago regarding the cost of power. Mr. McKnight stated that he doesn't like being adversarial. He wants to provide the City Commission with an alternative suggestion but needs factual numbers.

House condemnation and proposed demolition.

21B. Debby Schultz, 706 19th Street S.W., expressed her emotional and monetary distress to the City Commission regarding stop work orders and proposed demolition of her house.

Cable 7 Board, Chinook Wind Coalition meeting.

21C. Richard Liebert, 289 Boston Coulee Road, thanked the City for supporting Cable 7, and asked if the Commission could appoint more people to the Cable 7 Board. Mr. Liebert encouraged the City Commission to attend the next Chinook Wind Coalition meeting with Brett Doney.

Inflation.

21D. John Hubbard, 615 7th Avenue South, made comments regarding Saudis selling bombs, increasing taxes and gas prices, and Senator Obama. Mr. Hubbard also read two poems.

CITY COMMISSION**22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Jolley reported that she spoke with Ms. Schultz on the phone. She stated that she feels terrible for Ms. Schultz's situation. But, she didn't appeal when she had the chance.

Mayor Pro Tempore Bronson reported that the appeal period for the condemnation of the house has passed without the option for the appeal being exercised by Ms. Schultz. He advised Ms. Schultz to consult legal counsel.

Ms. Schultz stated that she didn't know there was an appeal process.

Commissioner Jolley added that she hates to be the bearer of more bad news to Ms. Schultz, but if the City of Great Falls spends money removing her house, she will get a bill for that too. The Commission does not get to approve or disapprove the removal of the house, but does approve or disapprove the costs involved.

Community Development Director Mike Rattray clarified that City staff prepared a chronological listing of the 35 steps it went through with regard to Ms. Schultz. At least six or seven certified letters were mailed to Debby Schultz that she signed for. One letter explained the condemnation process and the appeal process.

Mayor Pro Tempore Bronson stated that he wanted to make the community of Great Falls aware of an event that he and Mr. Doyon attended at MAFB on Saturday evening. At the suggestion of Col. Finan at MAFB, the mayor and the commissioners decided to present to the Canadian Snowbirds the key to the City of Great Falls. In large part in recognition of their fallen comrade, Capt. McCaughey, who died in an unfortunate plane crash last year. Bronson had the pleasure of presenting that award in a public ceremony to the members of the Canadian Snowbirds. They were very deeply touched by this recognition. They know it represents the good will and sentiments of the people of Great Falls. Maj. Mitchell wanted Mr. Bronson to express to the citizens of Great Falls their great and undying appreciation. To underscore the importance of the event on Saturday evening, Lt. Gen. Charles Bouchard, of the Canadian Defense Forces, made a personal trip to Great Falls to be a part of that ceremony. He also wanted Mr. Bronson to express his gratitude and appreciation to the citizens of Great Falls for all that it has done. As Col. Finan noted on Saturday evening, this event brought closure for their loss.

Commissioner Beecher requested staff follow up with Mr. McKnight's request for information.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioners Rosenbaum and Jolley, that the regular meeting of May 20, 2008, be adjourned at 7:57 p.m.**

Motion carried 4-0.

Mayor Pro Tempore Bronson

City Clerk