

Regular City Commission Meeting

Mayor Stebbins presiding

**CALL TO ORDER:** 7:00 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** City Commissioners present: Dona Stebbins, Sandy Hinz, Diane Jovick-Kuntz, John Rosenbaum and Bill Beecher. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Fiscal Services, Library, Planning and Public Works, Acting Director of Park and Recreation, the Police Chief, Fire Chief, and City Clerk.

**Neighborhood Council  
Members Swearing In  
Ceremony.**

**NEIGHBORHOOD COUNCILS**

1. Swearing In Ceremony of Neighborhood Council members.

**Fred Rauch appointed to  
Neighborhood Council  
District 1.**

2. Appointment, Neighborhood Council District No. 1. Due to tie votes between the write-in candidates for the fifth seat on the council, a drawing was held on December 4, 2007. Fred Rauch’s name was drawn. He was subsequently contacted and has agreed to the appointment.

**Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission appoint Fred Rauch to Neighborhood Council District 1 for a two year term effective January 1, 2008.**

Motion carried 5-0.

**Steve Carpenter  
appointed to  
Neighborhood Council  
District 4.**

3. Drawing for Appointment, Neighborhood Council District No. 4. Due to tie votes between the write-in candidates for the fifth seat on the council, a drawing was held on December 4, 2007. Roberta Bigelow’s name was drawn. She was subsequently contacted and declined to serve as a member of the council. Commissioner Hinz drew Steve Carpenter’s name.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Hinz, that the City Commission appoint Steve Carpenter to Neighborhood Council District 4 for a two year term effective January 1, 2008.**

Motion carried 5-0.

**NC 2, Dog/Cat  
Ordinance.**

4A. Bob Mehlhoff, NC 2, thanked the outgoing Commissioners for their service, and thanked the voters of the west side for electing a full council. Mr. Mehlhoff discussed the lack of compliance with the dog/cat ordinance and recommended the committee reconvene and readdress the issues for compliance.

**NC 8, Meeting dates/times, flag for Memorial Park.**

**4B.** Karen Grove, NC 8, stated that Neighborhood Council 8 meets the third Thursday of each month at 6:30 p.m. at the Pre-Release Center. Ms. Grove stated the council is working on getting a new flag and is applying for a grant for a new flag pole for Memorial Park. Ms. Grove stated the council appreciates the Commission.

### **OLD BUSINESS**

**Ord. 2993, Amending OCCGF Title 5.3.7.720 Emergency Medical Services Licenses and Create OCCGF 8.9 Emergency Medical Services. Accepted on first reading and set public hearing and final reading for January 8, 2008.**

**5. ORDINANCE 2993, AMENDING OCCGF TITLE 5.3.7.720 EMERGENCY MEDICAL SERVICES LICENSES AND CREATE OCCGF 8.9 EMERGENCY MEDICAL SERVICES.**

Fire Chief Randy McCamley reported that, due to a slight procedural error with the motion to accept this ordinance as amended at the December 4<sup>th</sup> Commission meeting, it is before the Commission again for first reading. This additional time was used to review a recommendation from the ambulance company to insert a conflict resolution process into the ordinance. This process has been included in the ordinance. Ordinance 2993 would revise the current Special Business License for ambulance transport companies which is Title 5.3.7.720 and create Title 8.9 Emergency Medical Services. EMS consultants are recommending the changes to help improve the overall safety and stability of the 911 emergency care system. The new ordinance more clearly spells out how the City will manage and provide oversight of the EMS system within the City of Great Falls and its contracted fire districts. Chief McCamley requested the Commission accept Ordinance 2993 on first reading and set a public hearing and final reading on January 8, 2008.

City Manager John Lawton added that he met with Ellen Stinar and Dave Kuhn this morning regarding the proposed conflict resolution language. Their attorneys reviewed it. Suggested changes were requested this morning and were adopted verbatim. Mr. Lawton advised that Ms. Stinar and Mr. Kuhn assured him that they would give their support to the passage of this ordinance.

**Commissioner Beecher moved, seconded by Commissioner Hinz, that the City Commission accept Ordinance 2993 on first reading and set public hearing and final reading for January 8, 2008.**

Commissioner Rosenbaum commented that this was a long process and he is pleased this ordinance is finally something that will work for everyone.

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

**Mary Jolley**, 1910 2<sup>nd</sup> Avenue North, commented that no other city in Montana has this ordinance, and does not think Great Falls should be the

first. Before this ordinance is passed, Ms. Jolley said the administrative rules and procedures should be filled in.

Motion carried 5-0.

### **NEW BUSINESS**

**2006/2007  
Comprehensive Annual  
Financial Report and  
Independent Auditor's  
Report. Accepted.**

**6. COMPREHENSIVE ANNUAL FINANCIAL REPORT, FISCAL YEAR 2006-2007.**

Fiscal Services Director Coleen Balzarini reported that the 2007 Comprehensive Annual Financial Report provides an overview of the City's financial position as a whole entity and within each of its individual funds. The audit process begins each year with a meeting with the independent auditors, the City audit committee and Fiscal Services' staff. Upon completion of the audit the three groups meet again to review the draft report. This year the audit committee is recommending that the City Commission accept the 2007 Annual Financial Report as presented. Fiscal Services' staff involved in preparing the financial report and the annual audit are the Assistant Fiscal Services Director, Staff Accountant and Accounting Technician Senior. The final step in this six month process occurs tonight as the Commission is asked to accept the 2007 Report. Upon acceptance, the Annual Report will be submitted to the Montana Department of Revenue, the Central Clearing House for Federal Granting Agencies, and other entities that have provided debt financing for City projects and will be made available to the citizens of Great Falls. The City voluntarily submits the Annual Report to the Government Finance Officers Association for an additional level of peer review.

Loran Stensland, partner with Junkermier, Clark, Campanella, Stevens, P.C., Certified Public Accountants, provided background information about the audit process. Mr. Stensland stated they engage in a three entity contract - the City of Great Falls, JCCS, and the State of Montana. The State of Montana issues compliance requirements that the City has to comply with in their fiscal services to be in compliance with state law. That brings the auditors into it, and they issue compliance requirements that JCCS has to use in their audit tests and procedures. Mr. Stensland reported that there are no findings in the State compliance area that will be reported with this year's audit. As part of the audit process, JCCS plans and performs its audit to obtain reasonable assurance about whether the financial statements are free of material misstatement and are fairly presented in accordance with United States Generally Accepted Accounting Principles. Mr. Stensland reviewed page 7 of the Audit Report and stated JCCS issued a clean, unqualified audit opinion. Page 186 summarizes the audit process. There were no significant deficiencies related to the audit of the financial statements in accordance with government auditing standards, no instances of non-compliance material to the financial statements of the City of Great Falls, which would be required to be reported under

government auditing standards, and there were no significant deficiencies related to the major federal award program.

Mr. Stensland pointed out that the operating results of the general fund this year were roughly \$186,000, with revenues exceeding expenditures for the City for 2007. That is a positive trend in the right direction. Mr. Stensland discussed the golf course fund and stated it is getting closer to being in compliance. Mr. Stensland complimented the City on receiving the GFOA Certificate of Achievement for excellence in financial reporting for the past fiscal year.

Commissioner Hinz asked what could happen to the City by the golf course funds not being in compliance. Coleen Balzarini responded that the worst case scenario would be that the bonds would be called and immediately payable. Ms. Balzarini stated what is more likely, is it would be very difficult to issue more golf course debt.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission accept the 2006-2007 Comprehensive Annual Financial Report and Independent Auditor's Report as presented, as well as the responses to the Audit Management letter recommendations as presented, and authorize staff to submit the responses to the State of Montana, Department of Administration and other government agencies as necessary.**

Commissioner Beecher commented that when you have an agency, the one thing that the body depends on is an independent audit to insure the organization's financial operations are conforming to generally accepted accounting principles and that there isn't anything remiss in the report. This is a clean audit for the preceding year. The City is properly accounting for things in accordance with generally accepted accounting principles. He emphasized that this is what bond rating agencies look at to rate the City's credit worthiness to borrow money down the road. Commissioner Beecher commended the staff and stated that the Commission can take this as a sense of satisfaction and assurance that the organization is running financially as it should.

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

**Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue N.E., commented that the report should also contain an asset statement.

Motion carried 5-0.

**Pledge to McLaughlin  
Research Institute.  
Approved.**

**7. PLEDGE TO MCLAUGHLIN RESEARCH INSTITUTE.**

Assistant City Manager Cheryl Patton reported that this project would meet the requirements established in Resolution 9351. That resolution

established criteria that should be met before City assistance on community projects. The expansion of the Institute would provide jobs, create economic development, leverage state dollars to benefit the economy and enhance the Institute's importance as a biomedical research facility nationwide. Staff recommends that the Commission approve a pledge of \$84,000 toward the two million dollar match requirement of the McLaughlin Institute.

**Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission approve a pledge of \$84,000 to McLaughlin Research Institute toward the necessary community match in order to secure state funding to expand and enhance the facility.**

Commissioner Hinz commented that Mr. Lawton assured them that the pledge could be stretched out a couple of years. City Manager John Lawton suggested that half be taken out this fiscal year, and budget for the rest of it the next fiscal year.

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

**George Carlson**, Director of the McLaughlin Research Institute, thanked the Commission for considering this pledge.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., stated the agenda report does not state where the money will come from. Mr. Gessaman pointed out that \$84,000 will go to McLaughlin, this joins the \$1.4 million set aside for the Highwood Generating Station, yet the City would not budget \$50,000 to front costs for a bicycle path for Riverview School on a reimbursable basis.

**Brett Doney**, 3048 Delmar Drive, on behalf of the Great Falls Development Authority, spoke in support of further expansion of the McLaughlin Research Institute. Mr. Doney stated this is a wonderful economic development project and puts Great Falls on the map internationally as a high-end research facility.

Motion carried 5-0.

### **ORDINANCES/RESOLUTIONS**

**Res. 9720, Montana Board of Investments Loan Agreement. Adopted.**

**8. RESOLUTION 9720, MONTANA BOARD OF INVESTMENTS LOAN AGREEMENT FOR INSTALLATION OF TWELVE (12) CITY-OWNED RESIDENTIAL STREET LIGHTS IN MEADOWLARK ADDITION NO. 5.**

Fiscal Services Director Coleen Balzarini reported that the Commission is asked to approve the loan agreement between the City and the Montana Board of Investments. The funds will be used to install 12 City-owned

residential street lights. The repayment will be from the property owners in the district receiving the benefit of the lights.

**Commissioner Jovick-Kuntz moved, seconded by Commissioners Hinz and Rosenbaum, that the City Commission adopt Resolution 9720, and authorize the City Manager to execute the loan documents.**

Motion carried 5-0.

**Res. 9722, Relating to \$5,500,000 Multifamily Housing Revenue Bonds, Approving a First Supplement to the Indenture of Trust. Adopted.**

**9. RESOLUTION 9722, RELATING TO \$5,500,000 MULTIFAMILY HOUSING REVENUE BONDS (AUTUMN RUN APARTMENTS PROJECT), APPROVING A FIRST SUPPLEMENT TO THE INDENTURE OF TRUST.**

Fiscal Services Director Coleen Balzarini reported this supplement to indenture of trust is related to the Autumn Run housing complex. This project was approved in 1997. After 10 years the Autumn Run corporation has the option to revise the indenture of trust. The City gets involved because it provides low to moderate income housing in an area that is needed. Because the City is involved on a pass through basis, this financing has a tax exempt component to it. The City has no obligation other than reviewing and relying on bond counsel review to make sure it meets that tax exempt status.

**Commissioner Rosenbaum moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9722.**

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

Motion carried 5-0.

**Consent Agenda.  
Approved as printed.**

**CONSENT AGENDA**

10. Minutes, December 4, 2007, Commission meeting.
11. Total Expenditures of \$869,956 for the period of November 27 - December 12, 2007, to include claims over \$5,000, in the amount of \$674,118.
12. Contracts list.
13. Lien Release list.
14. Grants list.
15. Set public hearing for January 8, 2008, on Res. 9721, Building, Plumbing, Electrical and Mechanical Permit Fee Increase.
16. Payoff of short term construction loan to Great Falls Port Authority in an amount of \$382,392.05 related to the final phase of Centene Facility Construction.
17. Approve City co-sponsorship in an amount up to \$500 for use of the Mansfield Theatre for the Montana String Teachers Association-

**BARRAGE.**

18. Approve Right-of-Way Agreement with the Montana Department of Transportation for the reconstruction of Overlook Drive.
19. Approve purchase of RecTrac and WebTrac by Vermont Systems in the approximate amount of \$63,390.
20. Approve Funding Agreement with the Montana Department of Transportation for Air Quality Equipment.
21. Approve Interlocal Agreement with Cascade County and the Montana Department of Transportation for the MPDES Storm Water Permit.
22. Approve Final Payment to United Materials of Great Falls, Inc. and the State Miscellaneous Tax Division in the amount of \$23,489.98 for Schedule Two of the Medical Technology Park, Lot 3, Utility and Street Improvements.
23. Approve Final Payment to Phillips Construction and the State Miscellaneous Tax Division in the amount of \$2,300.29 for the Milwaukee R.O.W. Storm Drainage Improvements – Phase II.
24. Award bid for six new 2008 police pursuit vehicles to City Motor Company in the amount of \$120,259.

**Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission approve the Consent Agenda as presented.**

Mayor Stebbins inquired if there was any comment from the public regarding the consent agenda.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., commented that Agenda 19 is for computer software that he opined is a convenience for people who play golf. Mr. Gessaman stated that on Agenda 20, the City is buying equipment to sweep up dust, but the City is simultaneously building a coal plant.

Motion carried 5-0.

**BOARDS & COMMISSIONS****Reappointments - Great Falls Planning Advisory Board.****25. REAPPOINTMENTS, GREAT FALLS PLANNING ADVISORY BOARD.**

Reappoint Danna Duffy, Joseph Schaffer, and Terry Hilgendorf to the Great Falls Planning Advisory Board for three-year terms through December 31, 2010.

**Commissioner Hinz moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that Danna Duffy, Joseph Schaffer and Terry Hilgendorf be reappointed to the Great Falls Planning Advisory Board for three-year terms through December 31, 2010.**

Motion carried 5-0.

**26. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**CITY MANAGER**

**27. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**CITY COMMISSION**

**28. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Thank you and farewell to Commissioners Hinz and Jovick-Kuntz.**

Commissioner Jovick-Kuntz thanked City staff, fellow Commissioners and the Mayor.

Commissioner Hinz read a poem she wrote.

Mayor Stebbins presented Sandy Hinz and Diane Jovick-Kuntz with plaques honoring them for eight years of public service. Mayor Stebbins personally thanked them both.

Commissioner Beecher mirrored all comments, and added that he has trust and respect for them both and has enjoyed working with them.

Commissioner Rosenbaum stated they have learned a lot from each other, and have done it with respect. He thanked them for their years of service.

**PETITIONS AND COMMUNICATIONS**

**29. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Stebbins opened the meeting to Petitions and Communications.

**ECP, SME.**

**29A. Ed McKnight**, 906 3<sup>rd</sup> Avenue North, thanked the Commission for their service. Mr. McKnight read a newspaper quote from Coleen Balzarini regarding the refinery. Mr. McKnight asked why money was transferred from the general fund to the electric fund. He opined that all the money, time and effort is to save \$20,000 per year, and doesn't think it will be worthwhile in the future.

**Gas Prices.**

**29B. John Hubbard**, 615 7<sup>th</sup> Avenue South, still angry that he can't afford to fill up at the gas pumps. Politicians vote themselves cost of living raises. Mr. Hubbard stated he believes the judicial system in this country does not work.

**Code of Ethics.**

**29C. Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., read Item L of the Code of Ethics, and stated that he quotes this because some City employees are using vehicles to purchase and transport liquor, and he believes there is a liability



problem.

**Merry Christmas and  
Happy New Year.**

**29D. Brett Doney**, 3048 Delmar Drive, wished everyone a Merry Christmas and a Happy New Year. Mr. Doney thanked Sandy Hinz and Diane Jovick-Kuntz for supporting economic development in the City and the County.

**ADJOURNMENT**

**Adjourn.**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum that the regular meeting of December 18, 2007, be adjourned at 8:10 p.m.**

Motion carried 5-0.

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Mayor Stebbins

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City Clerk