

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

**NEIGHBORHOOD COUNCILS**

1. There were no reports or announcements from Neighborhood Council representatives.

**PUBLIC HEARINGS**

**Res. 9705 and Ord. 2992, annexation and zoning for Segments of 6<sup>th</sup> Street Southwest and Interstate Spur 315. Adopted.**

**2A. RESOLUTION 9705 ANNEXES SEGMENTS OF 6<sup>TH</sup> STREET SOUTHWEST AND INTERSTATE SPUR 315.**

**2B. ORDINANCE 2992 ASSIGNS ZONING CLASSIFICATIONS IN ACCORDANCE WITH TITLE 17-LAND DEVELOPMENT CODE, CHAPTER 8, SECTION 60, INTERPRETATION OF BOUNDARIES FOR LAND USE DISTRICTS.**

Planning Director Ben Rangel reported that a segment of 6<sup>th</sup> Street SW, near the Sun River Bridge and a segment of Interstate Spur 315, between Exit 0 and Fox Farm Road are located outside of the City limits. These roadway rights of way are contiguous to the City. As such, State statute allows cities to annex government land, if the land is adjacent. This action will also address the Commission's interest to annex unincorporated enclaves into the City. The City has consent from the Montana Department of Transportation to annex the rights of way.

On October 6th, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9705, which would annex the rights of way and to adopt Ordinance 2992, which would assign zoning classifications similar to adjoining parcels.

The City Planning Board/Zoning Commission unanimously recommends your approval.

Mayor Stebbins declared the public hearing open. No one spoke in favor of

or opposition to Resolution 9705 and Ordinance 2992.

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

**Commissioner Hinz moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt Resolution 9705.**

Motion carried 5-0.

**Commissioner Hinz moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt Ordinance 2992.**

Motion carried 5-0.

**Res. 9711, Safety  
Inspection Certificate  
Fees. Adopted.**

**3. RESOLUTION 9711, SAFETY INSPECTION CERTIFICATE FEES.**

Assistant Fire Chief Steve Hester reported that the safety inspection certificate fees cover a portion of the costs of approximately 3,200 fire code inspections conducted on an annual basis. Fees have seen minimal increases since inception, and this request is the first since 2004. All other fees in the resolution remain the same as in 2004. Fees for renewals are proposed to be an increase of 5% for the past four years.

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9711.

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

**Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9711.**

Commissioner Hinz inquired how the increase came about. Mr. Hester responded that it was derived from the fuel costs to operate the apparatus, additional costs over the past four years for staffing and fuel.

Motion carried 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**Res. 9712, Montana  
Board of Investments**

**4. RESOLUTION 9712, MONTANA BOARD OF INVESTMENTS  
LOAN AGREEMENT FOR INSTALLATION OF THIRTEEN**

**Loan Agreement.  
Adopted.**

**CITY-OWNED RESIDENTIAL STREET LIGHTS IN EAGLES  
CROSSING PHASE II & III, 1<sup>ST</sup> PHASE CONSTRUCTION.**

Fiscal Services Director Coleen Balzarini requested the Commission approve the loan agreement between the City of Great Falls and the Montana Board of Investments to pay for the cost of installing and constructing a new street lighting district that encompasses 13 city-owned residential street lights. The term is for 15 years and the interest rate is variable. The cost will be assessed to the property owners within the district.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9712 and authorize the City Manager to execute the loan documents.**

Mayor Stebbins inquired if there were any questions among the Commissioners.

Commissioner Jovick-Kuntz inquired if this agreement was also done with the previous phases, and Ms. Balzarini answered affirmatively with regard to this particular development.

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

**Mary Jolley**, 1910 2<sup>nd</sup> Avenue North, inquired why the \$46,000 loan included \$3,000 for City engineering services.

City Engineer Dave Dobbs answered that it is electrical engineering in nature. The City has registered engineers on staff, but not electrical engineers. It is specialized work and is typically done by consultants.

Motion carried 5-0.

**Res. 9716, Reschedule  
City Commission Work  
Sessions and Commission  
Meetings in January,  
2008. Adopted.**

**5. RESOLUTION 9716, RESCHEDULE REGULARLY  
SCHEDULED CITY COMMISSION WORK SESSIONS AND  
COMMISSION MEETINGS IN JANUARY OF 2008.**

Assistant City Manager Cheryl Patton reported that in order accommodate State law that dictates when the new commission can be sworn in, staff is recommending that the Commission meetings in January, 2008, be switched from the first and third Tuesdays to the second and fourth Tuesdays. This will still allow for one week in between Commission meetings and can get back on schedule in February.

**Commissioner Beecher moved, seconded by Commissioner Hinz, that the City Commission adopt Resolution 9716.**

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

responded.

Motion carried 5-0.

**Res. 9717, Intent to Amend Boundaries of Tax Increment District for Montana Agricultural and Technology Park. Adopted Res. 9717 and accepted Amending Ord. 2996 on first reading, and set public hearing and final reading for December 4, 2007.**

**6. RESOLUTION 9717, INTENT TO AMEND BOUNDARIES OF TAX INCREMENT DISTRICT FOR AGRICULTURAL.**

Fiscal Services Director Coleen Balzarini reported that in May of 2005 a tax increment district was created in the Ag Tech Industrial Park area. Many of the properties in that area that are proposed to be incorporated into an industrial park, are not annexed. As the properties are annexed it has been the intent to expand the boundaries of that district to accommodate the cost of water, wastewater improvements and roadway improvements. The primary purpose of creating this district was to acquire the rail spur so that it would be available to any of the occupants of the district in the future. At this point it is owned by the malting facility and it is willing to turn that over to public ownership. Montgomery Energy was annexed at the last Commission meeting. So, this resolution allows the City to expand the district because of that annexation to encompass the Montgomery Energy property and to capture the incremental increase in taxes that will occur as they construct that project. This resolution sets the public hearing and approves first reading of the ordinance that expands the district boundaries.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Resolution 9717, accept amending Ordinance 2996 on first reading and set public hearing and final reading for December 4, 2007.**

Mayor Stebbins inquired if there was any comment from the public regarding Resolution 9717.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., stated the map includes a part of the highway, and inquired why.

Ms. Balzarini answered that, by including a part of the highway, it encompasses all of the property by going to the midline of the highway itself. As this contiguous line of property is created, the highway will be incorporated into that. In addition, if the City participates in additional improvements in that highway area in the future as everything develops, that puts it into the tax increment district and allows the City to use tax increment dollars for those improvements.

**Brett Doney**, 3048 Delmar Drive, stated he supports Montgomery Energy project as it is a move forward with the industrial park and anticipates further expansion.

Motion carried 5-0.

**Consent Agenda.  
Approved as printed.**

**CONSENT AGENDA**

7. Minutes, November 6, 2007, Commission meeting.
8. Total Expenditures of \$1,367,488 for the period of October 30 through November 14, 2007, to include claims over \$5,000, in the amount of \$1,102,609.
9. Contracts list.
10. Set public hearing for December 4, 2007, for CDBG/HOME Community Needs.
11. Set public hearing for December 4, 2007, for consideration of sale of city-owned land, west ½ of Lot 1, Block 76, Original Townsite.
12. Approve Escrow Agreement with the Montana Department of Transportation and the Montana Board of Investments regarding reconstruction of 2<sup>nd</sup> Avenue North, Park Drive to 15<sup>th</sup> Street.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, 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. No one responded.

Motion carried 5-0.

**BOARDS & COMMISSIONS**

**13. REAPPOINTMENT, ELECTRIC CITY POWER, INC. BOARD OF DIRECTORS.**

**Robert Pancich  
reappointed to Electric  
City Power, Inc. Board of  
Directors.**

Request to reappoint Robert Pancich to the Electric City Power, Inc. Board of Directors for a six year term through December 31, 2013.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission reappoint Robert Pancich to the Electric City Power, Inc. Board of Directors for a six year term through December 31, 2013.**

Mayor Stebbins inquired if there was any comment from the public regarding the reappointment of Mr. Pancich.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue N.E., stated that he did not believe Mr. Pancich deserves reappointment; that he does a poor job in that he hasn't followed the by-laws, doesn't know the articles of incorporation and isn't here tonight to represent himself.

**George Golie**, 316 20<sup>th</sup> Avenue South, served with Mr. Pancich for the last two years on the Electric City Power Board. Mr. Golie believes Mr. Pancich is more than qualified to serve on that Board, has attended every

meeting except one, built relationships with electrical parties in the state, has done a good job, is an asset, and has been responsive to everyone that has come before the Board.

**Mary Jolley**, 1910 2<sup>nd</sup> Avenue North, requested the Commission give Mr. Pancich direction to pay attention to the by-laws and City codes, and for ECPI to sustain itself.

Commissioner Hinz added that Mr. Pancich is an asset in that he has a good working relationship with the Montana Board of Investments and worked decades in the banking business.

Motion carried 5-0.

**14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**CITY MANAGER**

**15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**CITY COMMISSION**

**16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Beecher brought the public up to date on the process of selecting a new City Manager.

**PETITIONS AND COMMUNICATIONS**

**17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Stebbins opened the meeting to Petitions and Communications.

**17A. Brett Doney**, 3048 Delmar Drive, on behalf of the Great Falls Development Authority, advised that he has been working with the Air Force on the coal to liquid refinery. The Board of Directors voted unanimously this morning to recommend that the City Commission and County Commission jointly appoint a task force and urged that they involve members of the Committee of Eighty, the Chamber, the Development Authority, as well as a representative of the Governor. The Air Force is working on a Conceptual Opportunity Study, a preliminary feasibility study, which they expect to be completed by December.

Commissioner Jovick-Kuntz inquired if there is going to be a public process since this is on federal land.

Mr. Doney responded that is why they felt a City/County appointed task force that would meet in public would have greater standing in working the state

**City/County Appointed  
Task Force.**

and federal agencies. There are issues with it being on federal property. This would be done under an enhanced use lease.

**ADJOURNMENT**

**Adjourn.**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the regular meeting of November 20, 2007, be adjourned at 7:30 p.m.**

Motion carried 5-0.

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Mayor Stebbins

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City Clerk