

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 Community Development, Fiscal Services, Public Works, Library and Planning, Acting Director of Park and Recreation, Police Chief, Fire Chief, and City Clerk.

PROCLAMATION: Mayor Stebbins read a proclamation of appreciation and commendation for Captains David Bowen and Timothy Shanks, Lieutenant Bryan Lockerby, Senior Police Officer Michael Badgley and Ms. Melissa Kinzler for their service to the Great Falls Animal Shelter.

NEIGHBORHOOD COUNCILS

- NC4. The Home Place.**
1. Rick Kavulla, 725 49th Street South, NC4, inquired about the annexation of property known as The Home Place. Planning Director Ben Rangel reported that piece of property was on the list of properties receiving services. They chose not to continue water and sewer services and, therefore, under Ordinance 2930, the City does not have the basis to annex them. In due time, it appears that the property is wholly surrounded, so the City could consider looking at state statute as the basis to consider annexation.

PUBLIC HEARINGS

- Res. 9689 and Ord. 2983, annexation and zoning for Castle Pines Phase IV. Adopted.**
- 2A. **RESOLUTION 9689 ANNEXES CASTLE PINES PHASE IV, CONSISTING OF 5 LOTS LOCATED ALONG THE SOUTH SIDE OF 27TH AVENUE SOUTH AND THE SOUTHERLY EXTENSION OF 15TH STREET SOUTH.**
 - 2B. **ORDINANCE 2983 ASSIGNS ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY, HIGH-DENSITY DISTRICT.**

Planning Director Ben Rangel reported that Harold Poulsen is the property owner and developer of Castle Pines Addition. Mr. Poulsen received Commission approval for several phases of the subdivision, and is now ready to proceed with Phase IV, which consists of an additional 5 single family residential lots along 27th Avenue South near 15th Street.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9689, which would annex the subdivision

and to adopt Ordinance 2983, which would assign a zoning classification of R-3 single family residential, and to approve the minor plat of the subdivision, the annexation agreement and the Findings of Fact.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9689 and Ordinance 2983.

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

Commissioner Hinz moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Resolution 9689 and approve the Minor Plat, Annexation Agreement and Findings of Fact.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioners Hinz and Jovick-Kuntz, that the City Commission adopt Ordinance 2983.

Motion carried 5-0.

Res. 9688 and Ord. 2982, annexation and zoning for Lot 6A, Beebe Tracts. Adopted.

3A. RESOLUTION 9688 ANNEXES LOT 6A, BEEBE TRACTS, ADDRESSED AS 5000 2ND AVENUE NORTH, CURRENTLY OCCUPIED BY BIG SKY MINIATURE GOLF.

3B. ORDINANCE 2982 ASSIGNS ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL DISTRICT.

Planning Director Ben Rangel reported that Rodney and Rose Borger have requested that their miniature golf business on 2nd Avenue North at 50th Street be annexed into the City in order to receive water and sewer services.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9688, which would annex the parcel and to adopt Ordinance 2982, which would assign a zoning classification of C-2 general commercial, and to approve the annexation agreement and easements.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9688 and Ordinance 2982.

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

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Resolution 9688 and approve the Annexation Agreement and easements.

Motion carried 5-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Ordinance 2982.

Motion carried 5-0.

Res. 9697 and Ord. 2986, annexation and zoning for Marks T and IA, TS20N R3E Sec. 15. Adopted.

- 4A. RESOLUTION 9697 ANNEXES MARKS T AND IA, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, ADDRESSED AS 1400 14TH STREET SOUTHWEST.**
- 4B. ORDINANCE 2986 ASSIGNS ZONING CLASSIFICATION OF R-1 SINGLE-FAMILY SUBURBAN DISTRICT.**

Planning Director Ben Rangel reported that in February of 2006, the City Commission adopted Ordinance 2930 regarding the annexation of parcels receiving water and/or sewer services, but located outside the City limits. The Commission has decided to annex these parcels to create a more consistent City boundary and to provide services more effectively to everyone in the City. It is also a matter of fairness to current City residents to make certain that those who use City services help to equally pay for the cost of providing them. A number of properties are involved in this annexation program. This agenda item involves a single-family residence along 14th Street SW owned by Casey and Lisa Schearer. As a condition for the continued receipt of City water and sewer services, the owners have provided written consent to annex.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9697, which would annex the parcels and to adopt Ordinance 2986, which would assign a zoning classification of R-1 single family suburban.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9697 and Ordinance 2986.

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

Commissioner Beecher moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission adopt Resolution 9697.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Ordinance 2986.

Motion carried 5-0.

Res. 9698 and Ord. 2987, annexation and zoning for Mark I, TS20N R3E Sec. 15. Adopted.

5A. RESOLUTION 9698 ANNEXES MARK I, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, ADDRESSED AS 1420 14TH STREET SOUTHWEST.

5B. ORDINANCE 2987 ASSIGNS ZONING CLASSIFICATION OF R-1 SINGLE-FAMILY SUBURBAN DISTRICT.

Planning Director Ben Rangel reported that, as noted with the previous agenda item, this is the next property proposed to be annexed under Ordinance 2930. This item also involves a single-family residence along 14th Street SW owned by Steven and Kelley Grubb. As a condition for the continued receipt of City water and sewer services, the owners have provided written consent to annex.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9698, which would annex the parcel and to adopt Ordinance 2987, which would assign a zoning classification of R-1 single family suburban.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9698 and Ordinance 2987.

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 9698.

Commissioner Hinz asked Planning Director Ben Rangel how many of these parcels the City has identified and how many have already been handled. Mr. Rangel answered that over 100 were identified, and there are about a dozen left.

Motion carried 5-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 2987.

Motion carried 5-0.

Res. 9699 and Ord. 2988, annexation and zoning for Marks J and J1, TS20N R3E Sec. 15. Adopted.

6A. RESOLUTION 9699 ANNEXES MARKS J AND J1, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, AND ABUTTING UNINCORPORATED PORTION OF 14TH STREET SOUTHWEST AND A SEGMENT OF 16TH AVENUE SOUTHWEST.

6B. ORDINANCE 2988 ASSIGNS ZONING CLASSIFICATION OF R-1 SINGLE-FAMILY SUBURBAN DISTRICT UPON MARK J AND C-2 GENERAL COMMERCIAL DISTRICT UPON MARK J1.

Planning Director Ben Rangel reported that this agenda item also involves property proposed to be annexed under Ordinance 2930. It involves a single-family residence and a general service warehouse business along 14th Street SW owned by Eric and Lori Ellingson. As a condition for the continued receipt of City water and sewer services, the owners have provided written consent to annex.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9699, which would annex the parcels and to adopt Ordinance 2988, which would assign a zoning classification of R-1 single family suburban to parcel J, and C-2 general commercial to parcel J1.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9699 and Ordinance 2988.

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

Commissioner Rosenbaum moved, seconded by Commissioners Hinz and Jovick-Kuntz, that the City Commission adopt Resolution 9699.

Motion carried 5-0.

Commissioner Hinz moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt Ordinance 2988.

Motion carried 5-0.

Res. 9700 and Ord. 2989, annexation and zoning for Marks 7D and 7M, TS20N R4E Sec. 9. Adopted.

7A. RESOLUTION 9700 ANNEXES MARKS 7D AND 7M, SECTION 9, TOWNSHIP 20 NORTH, RANGE 4 EAST, CURRENTLY OCCUPIED BY JOHN'S MOBILE HOME COURT ALONG 2ND AVENUE NORTH.

7B. ORDINANCE 2989 ASSIGNS ZONING CLASSIFICATION OF R-10 MOBILE HOME PARK DISTRICT.

Planning Director Ben Rangel reported that this agenda item also involves property proposed to be annexed under Ordinance 2930. It involves a mobile home court along 2nd Avenue North and 42nd Street owned by Charles and Judith Ferguson. As a condition for the continued receipt of City water and sewer services, the owners have provided written consent to annex.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9700, which would annex the parcels and to adopt Ordinance 2989, which would assign a zoning classification of R-10 mobile home park.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9700 and Ordinance 2989.

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

Commissioner Beecher moved, seconded by Commissioners Hinz, Jovick-Kuntz and Rosenbaum, that the City Commission adopt Resolution 9700.

Motion carried 5-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Ordinance 2989.

Motion carried 5-0.

Res. 9701 and Ord. 2990, annexation and zoning for Park Highway Garden Tracts, Lots 19 and 19B. Adopted.

8A. RESOLUTION 9701 ANNEXES PARK HIGHWAY GARDEN TRACTS, LOTS 19 AND 19B, CURRENTLY OCCUPIED BY TOLAN DISTRIBUTING.

8B. ORDINANCE 2990 ASSIGNS ZONING CLASSIFICATION OF M-2 MIXED USE TRANSITIONAL DISTRICT.

Planning Director Ben Rangel reported that this agenda item also involves property proposed to be annexed under Ordinance 2930. It involves a single-family residence and a bulk gasoline and oil sales business at the west end of the Northwest Bypass owned by Jack and Virginia Tolan. As a condition for the continued receipt of City water and sewer services, the owners have provided written consent to annex.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9701, which would annex the parcels and to adopt Ordinance 2990, which would assign a zoning classification of M-2 mixed-use transitional.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9701 and Ordinance 2990.

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

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Resolution 9701.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Ordinance 2990.

Motion carried 5-0.

Res. 9702 and Ord. 2991, annexation and zoning for Mark 11A, TS20N R3E Sec. 3. Adopted.

9A. RESOLUTION 9702 ANNEXES MARK 11A, SECTION 3, TOWNSHIP 20 NORTH, RANGE 3 EAST, PRESENTLY OCCUPIED BY A LOG HOME SALES AND CONSTRUCTION OFFICE (EAGLES NEST LOG HOMES) AND A SINGLE-FAMILY RESIDENCE, ADDRESSED AS 1001 AND 1011 NORTHWEST BYPASS.

9B. ORDINANCE 2991 ASSIGNS ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL DISTRICT.

Planning Director Ben Rangel reported that this agenda item also involves property proposed to be annexed under Ordinance 2930. It involves a single-family residence and a log home sales and construction office on the

Northwest Bypass owned by Andrew and Mildred Bohl. As a condition for the continued receipt of City water and sewer services, the owners have provided written consent to annex.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9702, which would annex the parcel and to adopt Ordinance 2991, which would assign a zoning classification of C-2 general commercial.

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

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9702 and Ordinance 2991.

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

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9702.

Motion carried 5-0.

Commissioner Hinz moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt Ordinance 2991.

Motion carried 5-0.

Res. 9710 and Ord. 2985, annexation and zoning for Lot 5, Block 1, International Malting Company, LLC Addition and the abutting section of U.S. Highway 87. Adopted.

10A. RESOLUTION 9710 ANNEXES LOT 5, BLOCK 1, INTERNATIONAL MALTING COMPANY, LLC ADDITION AND THE ABUTTING SECTION OF U.S. HIGHWAY 87.

10B. ORDINANCE 2985 ASSIGNS ZONING CLASSIFICATION OF I-2 HEAVY INDUSTRIAL DISTRICT.

Planning Director Ben Rangel reported that Montgomery Energy Partners of Austin, Texas, are proposing to build a natural gas fired electric generator facility along US Highway 87, north of Great Falls, near the malt processing plant. They are interested in annexing a 55 acre parcel and having it zoned for industrial use.

On October 2nd, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested that the Commission adopt Resolution 9710, which would annex the subdivision and a segment of U.S. Highway 87, and to adopt Ordinance 2985, which would assign a zoning classification of I-2 Heavy Industrial, and to approve the annexation agreement.

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

Mayor Stebbins declared the public hearing open. Speaking in favor of Resolution 9710 and Ordinance 2985 were Taylor Cheek of Montgomery Energy, and Brett Doney of the Great Falls Development Authority.

Speaking in opposition to Resolution 9710 and Ordinance 2985 were:

Gloria Smith, 8 Cheyenne Drive, stated that she has reservations about another industrial area on the outskirts of Great Falls.

Neil Taylor, 3417 4th Avenue South, opined that this matter should be tabled because there is not enough information about Montgomery's plans to double capacity.

Ron Gessaman, 1006 36th Avenue N.E., stated that there is not enough information about the noise the plant will generate and that he is in favor of tabling this matter to a later date.

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 9710 and approve the Annexation Agreement.

Commissioner Rosenbaum inquired if the gas capacity in our area will be adequate to supply the plant, the residents, and other industry to the extent we won't see a tremendous increase like those reported in other areas where there is already marginal gas reserves. Taylor Cheek responded that this plant will not have an impact on what residents pay at home. As far as supply goes, the plant is a small user as compared to the community as a whole. As far as delivery of the gas, there will be some upgrades done on the gas system. NorthWestern Energy will do a study regarding what they have to do on their system for liability purposes. Montgomery Energy will have to pay for those upgrades so there is no impact on the system.

Commissioner Hinz asked Mr. Cheek to address the noise issue. Mr. Cheek advised that these are over-sized aircraft engines, housed in multiple noise containment vessels that are insulated, as well as within a noise retention wall. If the property is annexed, Montgomery will have to comply with all City noise ordinances. The OSHA guidelines are 55-60 decibels at the property line which is about the noise of a conversation. The highway will make more noise than the gas turbines will make. He stated he has never had noise complaints from any other plants.

Commissioner Jovick-Kuntz asked about the water use. Fiscal Services

Director Coleen Balzarini answered that there are contracts for water and wastewater services on the agenda. To put in perspective the amount of water this facility will be using on average will be 780,000 up to 1.5 million gallons of water per day. She looked at the flow of the river in the area that it will be drawing from. The flow is reflected in cubic feet per second. The river, at its lowest point in September of 2001, had 3,867 cubic feet per second. This plant will be using between 1.2 and 2.3 cubic feet per second. Basically, it will be using .06 percent of the flow on the lowest point, and that was assuming it was using the 1.5 million gallons.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 2985.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

Potable and Industrial Process Water Service and Sanitary Sewer Agreements with Montana Megawatts I, LLC. Approved.

11. POTABLE AND INDUSTRIAL PROCESS WATER SERVICE AND SANITARY SEWER AGREEMENTS WITH MONTANA MEGAWATTS I, LLC.

Fiscal Services Director Coleen Balzarini reported there are two different agreements, one for water services and one for wastewater services. The wastewater agreement is typical. Montana Megawatts has agreed to comply with all state, federal and local laws. There is not a lot of return coming in to the facility. Some impact will be on the water services. Their potable water is minimal. What they may be using is 1.5 million gallons of untreated or raw water. The charge for that water will not be the same as what is delivered to homes, which is treated. This water will come directly out of the river. The company is responsible for building the infrastructure to get it to their facility. They bear all the costs. The charge to them for the raw water is a rate that has been set by the City Commission in 2004 at .17 cents per hundred cubic feet, and that rate will be reviewed every year. They will be using .06 percent of the water that flows by the City of Great Falls. The revenue anticipated on an annual basis is between \$64,000 and \$124,000, if they used 1.5 million gallons per day, which they don't anticipate using. The raw water is going to help us prove up on our water reservation. It gives us the ability, in an area that is closed to any new water rights being issued, to prove up on a reservation that we have had in reserve.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Potable and Industrial Process Water Service and Sanitary Sewer Agreements with

Montana Megawatts I, LLC, and authorize the City Manager to execute the agreements.

Commissioner Hinz asked, if the City did not allow for the company to use one of its perfected water rights, what would the company do for water. Mr. Cheek answered that it would start over and look for other water rights in the state that could transfer down.

Mayor Stebbins inquired what would happen to those water rights if the City doesn't prove up on them. Ms. Balzarini answered that the water reservations are something that only municipalities were allowed to file for back in 1988. Each of those municipalities that filed has until 2025 to prove up on them. At that point the legislation related to them does sunset.

Commissioner Rosenbaum inquired what portion of that reservation has the City now proven up on, or potentially proven up on. Ms. Balzarini answered that the City has a total of 11.5 cubic feet. Between this plant, the Highwood Generating Station and the malting plant, she believes that leaves another three cubic feet.

Commissioner Hinz added that by the year 2025 the City will have to have perfected or proved up its water rights or lose them.

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

Neil Taylor, 3417 4th Avenue South, stated that he believed the City is rushing to judgment on this project because there is little known about this facility and their plans for the future. Mr. Taylor asked where the pump station is going to be located.

George Golie, 316 20th Avenue South, spoke in favor of this project and providing water to this plant. Mr. Golie stated the City has a water right reservation to use it or lose it. In this case it will be used for the financial benefit of the City of Great Falls, beneficial for the tax base and provide more good paying jobs for this community.

Brett Doney, 3048 Delmar Drive, stated that this is part of a regional energy strategy. The gas fired power plant is one of the cleanest ways to firm the wind. Mr. Doney stated the City needs projects like this to develop our wind resource. He believes this is a good use of the water and, strategically, this project underpins another billion dollars in energy investments.

Mary Jolley, 1910 2nd Avenue North, thinks the plant is a great idea, but not the process. Ms. Jolley stated that the commissioners needed information this evening before voting on this, and thought the contracts weren't read yet. She stated there was no rush to pass this. She thought a work session may have relieved some of the fears about the use of the water.

Mike Witsoe, 2612 1st Avenue South, asked if the two million gallons of water this plant will be using be going up in steam, or how much of it will be residually contaminated. Mr. Witsoe inquired if this plant will be putting another extreme measure on the sewer plant. He opined if a million gallons of water go in the air it will be a big humidifier. He stated this contaminate will be based in moisture droplets, and asked what will this do to the climate. Mr. Cheek answered that the water is not treated, it is run through the cooling tower for cooling purposes only. There are no additives that will contaminate or damage anything. Eighty percent of the water will evaporate in the air. The rest of it is blown down from the cooling tower. It is condensed as it goes through the process. Then it goes back to the sewer plant. There will be no climate impact. There will be only minimal or trace amounts of particulate matter in the exhaust of gas plants. This plant has received all of its air permits from the State and reviewed by the EPA and qualified under all those levels.

City Manager John Lawton clarified that the City of Great Falls is not granting water rights to anyone. The City is not giving up any water rights. The City has been requested to sell water. This goes for IMC, this plant and the Highwood plant. The City is not touching its historic municipal water rights. The City's historic water rights go back to 1889. The City also has a second set of water rights to cover irrigation needs. The City is not touching the irrigation water rights. The City is using a water reservation, which is a junior water right. This junior water right was given a priority date of 1985. It had never been used until IMC. The City is selling water, using the junior water right never used before, perfecting it, and it will now become part of the City's historic water right and be an asset to the City.

Gloria Smith, 8 Cheyenne Drive, commented that 80 percent of that water will be going up in the air. She stated that so far the water that the City is giving up will do no good to Montanans because the wind generators do not supply Montana with power.

Carol Fisher, 500 53rd Street South, asked where the water will come out of the river.

Taylor Cheek answered that the company has not selected the final location where the pumping house will be. It will be a very small structure. As part of the permitting process, the State will look at where it is and its impacts.

Ron Gessaman, 1006 36th Avenue N.E., stated the water used in the cooling towers is treated to keep them algae free. The water from that cooling tower will contain chemicals. There will also be some carryover chemicals in the water that is evaporated and that will end up in the surrounding environment.

John Hubbard, 615 7th Avenue South, thinks this matter should be tabled.

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

Res. 9706, Intent to Annex Lot 2A, Block 1, Sand Hills Park Addition and Blocks 40 and 45, Lincoln Heights Addition, Res. 9707, Intent to Vacate 16th Alley South, and Ord. 2994, zoning for Lots 2A-1, 2A-2 and 2A-3. Adopted Res. 9706 and Res. 9707 and accepted Ord. 2994 on first reading and set joint public hearing for December 4, 2007.

12A. RESOLUTION 9706, INTENT TO ANNEX LOT 2A, BLOCK 1, SAND HILLS PARK ADDITION AND BLOCKS 40 AND 45, LINCOLN HEIGHTS ADDITION.

12B. RESOLUTION 9707, INTENT TO VACATE 16TH ALLEY SOUTH.

12C. ORDINANCE 2994, ASSIGNS ZONING CLASSIFICATION OF R-5 MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY DISTRICT TO LOTS 2A-1 AND 2A-2 AND POS PARKS AND OPEN SPACE DISTRICT TO THE UNINCORPORATED PORTION OF LOT 2A-3.

Planning Director Ben Rangel reported that 1st Liberty Federal Credit Union and the City of Great Falls propose to consolidate several lots and vacated rights of way into three parcels. The lots are located in the Sand Hills Park area just east of 23rd Street South and are proposed to be annexed. One lot is proposed for a retirement home; a second lot is proposed for 16 housing units by the Great Falls Housing Authority; and, the third lot would be park land. Mr. Rangel requested that the Commission accept Resolution 9706, Intent to Annex, and Resolution 9707, Intent to Vacate right of way, as well as to accept Ordinance 2994 on first reading and set public hearing for December 4th.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Resolutions 9706 and 9707, and set public hearing for December 4, 2007.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioners Rosenbaum and Hinz, that the City Commission accept Ordinance 2994 on first reading, and set public hearing for December 4, 2007.

Motion carried 5-0.

**Consent Agenda.
Approved as printed.**

CONSENT AGENDA

- 13.** Minutes, October 16, 2007, Commission meeting.
- 14.** Total Expenditures of \$2,148,459 for the period of October 9 - 31, 2007, to include claims over \$5,000, in the amount of \$1,818,995.

15. Contracts list.
16. Lien Release list.
17. Set public hearing for November 20, 2007, on Res. 9711, Safety Inspection Certificate Fees.
18. Set public hearing for December 4, 2007, on Res. 9709, Conditional Use Permit for a Telecommunication Facility at 117 9th Street North.
19. Approve Change Order No. 1 in the amount of \$603 and final payment of \$19,069.13 to Dick Olson Construction and the amount of \$192.62 to the State Miscellaneous Tax Division for the Civic Center men's bathroom project. OF 1512.
20. Award bid for four new 2008 extended cab ¼ ton pickups to Bison Ford of Great Falls in the amount of \$62,710.80.
21. Award contract to United Electric, LLC, in the amount of \$40,007.88 for the Neighborhood Street Lighting – Eagles Crossing, Phases 2 & 3. SID 1308.
22. Award contracts to Membrane Concepts, LLC in the amount of \$144,430 for the pool liners at Jaycee, Water Tower and Mitchell Pools. OF 1501.
23. Approve final payment to Shumaker Trucking and Excavating and the State Miscellaneous Tax Division in the amount of \$14,016.22 for the Mount Olivet/Mountain View Water Main Loop. OF 1492.1.
24. Approve final payment to Dick Anderson Construction, Inc. and the State Miscellaneous Tax Division in the amount of \$5,490 for the Water Flocculation and Rapid Mix Improvements. OF1332.2.
25. Approve Wadsworth Park Lease Addendum with the Sun River Skeet Club.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission approve the Consent Agenda as presented.

Commissioner Rosenbaum commented on the Sun River Skeet Club's fine facility.

Mayor Stebbins inquired if there was any comment from the public regarding the consent agenda. No one responded.

Motion carried 5-0.

BOARDS & COMMISSIONS

Preliminary Plat consisting of 18 lots located between Grande Vista Park and Flood Road. Approved.

26. PRELIMINARY PLAT, SOUTH PARK ADDITION, PHASE II.

This item concerns a Preliminary Plat consisting of 18 lots ranging in size from 9,000 s.f. to 9,557 s.f., located between Grande Vista Park and Flood Road.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission approve the Preliminary Plat of South Park Addition, Phase II, and the accompanying Findings of Fact, subject to fulfillment of conditions stipulated to by the Planning Board.

Motion carried 5-0.

Curtis Thompson
appointed to Great Falls
Housing Authority
Board.

27. APPOINTMENT, GREAT FALLS HOUSING AUTHORITY BOARD.

Appoint one new member to the Great Falls Housing Authority Board for the remainder of a three-year term expiring June 30, 2009.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission appoint Curtis Thompson to fill the remaining term of Kelly Martinez through June 30, 2009.

Motion carried 5-0.

28. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

29. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY COMMISSION

30. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Hinz commented that she has been hearing clamor from people in the community for clean energy and renewable energies and, to her, this gas fired plant is a way to firm up our wind, which is a renewable source. There will be water consumption, but it is not as dirty, in her mind, as coal.

PETITIONS AND COMMUNICATIONS

31. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Stebbins opened the meeting to Petitions and Communications.

SME.

31A. Larry Rezendes, 2208 1st Avenue North, stated that he finds it absurd that after two years of doing business with the City of Great Falls, SME needs a deposit. Mr. Rezendes stated he hopes the voters hold accountable the commissioners that allowed this project to take place.

Montana Megawatts.

31B. Roger Norguaard, 221 Glenwood Court, asked if Montana Megawatts has the power lines and infrastructure to connect to the grid operated by NorthWest Energy, and asked how it plans to market the power.

Mr. Cheek answered that, at this time, NorthWestern has completed its system impact study and is starting its facilities study for the project. He is working on some issues with NorthWestern on the transmission system, and working on other alternatives which is moving forward well.

False Statements. HGS.

31C. George Golie, 316 20th Avenue South, commented that he heard false statements regarding the price of power from the Highwood Generating Station is not sustainable, it is going to degrade the water and the air and, most of all, voters should have had a right to vote on it. Mr. Golie stated that he compares those statements to the Environmental Impact Statement that has already come out. The bottom line is there are no significant adverse effects of building the Highwood Generating Station.

Vote. Park and Recreation position.

31D. Mike Witsoe, 2612 1st Avenue South, stated that he voted today. Mr. Witsoe asked, since Mr. Basta is in charge of Park and Recreation, is the Park and Recreation position going to be filled by Patty Reardon.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher that the regular meeting of November 6, 2007, be adjourned at 8:30 p.m.**

Motion carried 5-0.

Mayor Stebbins

City Clerk