

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM**PLEDGE OF ALLEGIANCE**

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

NEIGHBORHOOD COUNCILS**Police Response.
Ice Cream Social.**

1A. Sandy Guynn, NC 7, noted their neighborhood was impressed with the Police Department response time. Their Council typically meets the fourth Thursday of each month. For the month of July they will join NC 8 for the annual Ice Cream Social at Memorial Park. Ms. Guynn also reminded residents interested in serving on the Neighborhood Councils that they have until August 23, 2007, to file.

Fireworks.

1B. Mike Whitsoe, reported that fireworks were quiet in his neighborhood and the new Ordinance seems to be working.

PUBLIC HEARINGS**Res. 9658 Conditional
Use Permit for Duplex at
1401 1st Avenue NW,
West GF, B35, L14.
Adopted.****2. RESOLUTION 9658, CONDITIONAL USE PERMIT FOR DUPLEX
AT 1401 1st AVENUE NORTHWEST.**

Planning Director Ben Rangel reported that Robert and Jane Young had applied for a conditional use to permit construction of a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, addressed as 1401 1st Avenue Northwest.

Subject property was presently zoned R-3 single-family high density district wherein a two-family residence (duplex) was permitted upon processing and approval of a conditional use application.

At the conclusion of a hearing held May 8, 2007, the Zoning Commission unanimously passed a motion recommending the City Commission grant a conditional use to allow a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, subject to the applicant/property owner preparing a site plan drawn to scale and entering into an agreement with the City agreeing to develop subject property substantially in accordance with the site plan.

Mayor Stebbins declared the public hearing open.

There being no one to speak in support of or opposition to Resolution 9658, Mayor Stebbins declared the public hearing closed.

Commissioner Rosenbaum moved, seconded by Commissioner Hinz, that the City Commission adopt Resolution 9658.

Motion carried 5-0.

Res. 9661, Intent to Increase Property Tax. Adopted.

3. RESOLUTION 9661, INTENT TO INCREASE PROPERTY TAX.

Budget Officer Melissa Kinzler reported that MCA 15-10-203, requires the City to hold a public hearing before passing a resolution stating its intent to increase property tax revenues. MCA 15-10-420, authorizes a property tax levy increase of "one-half of the average rate of inflation for the prior 3 years." The Consumer Price Index showed a 3.06% average increase. Therefore, the City is allowed and is proposing a 1.53% property tax levy increase.

Ms. Kinzler also noted MCA 15-10-420 and 2-9-212(2a), also allow property tax levy increases for premium contributions for group benefits. The City is proposing an additional 3.1% property tax levy increase for health insurance premiums.

The total proposed allowable property tax levy increase is 4.63%. The average cost of this increase for a house with a market value of \$100,000 would be approximately \$15 per year.

Mayor Stebbins declared the public hearing open. No one spoke in support of Resolution 9661. Those speaking in opposition to Resolution 9661 were as follows

Mary Jolley, 1910 2nd Avenue North, asked for clarification on several items contained within the budget including inflation adjustments and health insurance increases. Ms. Jolley also recommended the Commission table the decision in order to allow those traveling for the holiday an opportunity to share their thoughts on the budget.

Mike Whitsoe, 510 11th Street South, stated that with so many seniors and young people being affected, and with the 4th of July holiday, the Commission should postpone their decision for two weeks.

There being no one further to address the Commission, Mayor Stebbins closed the public hearing.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9661.

Motion carried 5-0.

**Res. 9662, 2007/2008
Budget. Adopted.**

4. RESOLUTION 9662, 2007/2008 BUDGET.

Budget Officer Melissa Kinzler reported that this year's budget process emphasized maintaining most services at present levels; increased emphasis on public safety and continued recovery of "ailing" programs such as golf and swimming. Ms. Kinzler added that budget emphasis also included meeting commitments to employees for 4.0% salary increases and absorbing inflationary costs increases such as gasoline, diesel, construction and insurance costs.

Ms. Kinzler presented a detailed breakout of the 2007/2008 budget, which consisted of \$86,651,380 in revenue and total expenses of \$88,749,602.

Mayor Stebbins declared the public hearing open. Those speaking in support of Resolution 9662 were:

Bret Doney, 3048 Delmar Drive, on behalf of the Great Falls Development Authority, thanked the Commission for their continued support of their recent economic development activities.

Those speaking in opposition to Resolution 9662 were:

Andre Deligdish, 3016 Central, expressed her concern for considering a budget that noted items for animal control when it was not yet known how the City was handling the animal control issue.

Pam Hendrickson, 1321 5th Avenue North, expressed her concerns for "putting the cart before the horse" in regard to the budget and animal control discussions. Ms. Hendrickson also stated she didn't feel the budgeted \$115,000 for animal control was adequate.

Mary Jolley, 1910 2nd Avenue North, raised concerns about the ability of Electric City Power being able to sustain itself and the possibility of a small customer program. Ms. Jolley inquired about the status of the small customer program and Montana Public Power Inc. Ms. Jolley also requested the public be given notice prior to further supporting Montana Public Power Inc.

Mayor Stebbins closed the public hearing.

Commissioner Beecher moved, seconded by Commissioners Rosenbaum and Jovick-Kuntz, that the City Commission adopt Resolution 9662.

Commissioner Hinz inquired as to whether there was any kind of time crunch to get the budget passed.

City Manager Lawton, noted the Commission was free to take the time they needed, but there was no need to wait for resolution of the animal control issues prior to making a decision on the budget.

Commissioner Rosenbaum reiterated that oftentimes budget amendments were necessary.

Motion carried 5-0.

Business Improvement District 2007/2008 Budget and Work Plan. Approved.

5. BUSINESS IMPROVEMENT DISTRICT 2007/2008 BUDGET AND WORK PLAN.

Tonya Jorgensen of the Business Improvement District reported that the Business Improvement District submitted their 2007/2008 budget for approval by the City Commission. According to State statute, the City Commission must hold a public hearing to hear any objections to the budget. Following the public hearing, the City Commission could approve the plan or request that amendments be made to it prior to levying an assessment on all properties within the district to defray the costs. The assessment would be according to the formula approved with the creation of the district.

Ms. Jorgenson also gave a detailed update on new and ongoing B.I.D. projects such as their newsletter, website, revitalization plan catalyst areas and beautification efforts.

Mayor Stebbins declared the public hearing open. Those speaking in support of the 2007/2008 Budget and Work Plan were:

Bret Doney, 3048 Delmar Drive, on behalf of the Development Authority Mr. Doney commended the Business Improvement District for the great leadership and the working partnerships that they have established.

Aaron Weissman, 315 4th Avenue North, noted that Neighborhood Council 7 would be very interested in hearing more about the plans for changes to the one ways downtown, as 9th Street would have increased pressure.

No one spoke in opposition to the Business Improvement District 2007/2008 Budget and Work Plan. Mayor Stebbins closed the public hearing.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum that the City Commission approve the Business Improvement District 2007/2008 Budget and Work Plan.

Motion carried 5-0.

OLD BUSINESS

Animal Control Enforcement and Shelter Operations.

5A. ANIMAL CONTROL ENFORCEMENT AND SHELTER OPERATIONS.

Adopted. Authorization granted.

Jim Donahue, President of the Humane Society of Cascade County (HSCC) read a letter acknowledging that the Humane Society of Cascade County agreed that the City should assume control of the animal control and the animal shelter on a limited basis. Mr. Donahue added that this mutually acceptable relationship included the opportunity for the shelter employees to become City employees and the shelter would leave animal supplies and equipment in place. It was an agreement developed in a spirit of cooperation for the welfare of the animals and the good of the community.

City Manager Lawton added that the authorization being asked of the Commission this evening was an interim decision and the City would pledge to work with HCSS and others on any outstanding issues, to determine how the City could provide better support and how we can involve the community more.

Mayor Stebbins asked for comments from the public.

Rick Vell, 1606 Adams Boulevard, inquired whether the new animal shelter had a “no kill policy.”

Andre Deligdish, 3016 Central, inquired about the capability of the HCSS to read any microchipped animals that would come in. Ms. Deligdish also commented on the confusion over registration. She did not feel it was clear to anyone how to get their pets registered.

Gary Blatter, 1709 20th Avenue South, commended the shelter for their employees and animal care. He added that he hoped the City would run the shelter as well as the Humane Society had.

Nancy Lagoso, 3100 4th Avenue North, noted that in her past experiences with the HSCC, the staff and volunteers seem to know the animals. Ms. Lagoso added the cages and water were kept clean and animals were exercised.

Pam Hendrickson, 1321 5th Avenue North, inquired whether the existing board members of the HSCC would be required to resign. She cited a letter written by the City. Ms. Hendrickson also expressed her displeasure with the “despicable underground tactics” used by the City.

Jan Fager, 163 Sun Loop Lane, welcomed the City’s takeover and related her past experiences with the HSCC board.

Tim Gilligan, 3232 5th Avenue South, expressed concern with going back to the way the shelter used to be and urged the City to keep the current employees of the shelter.

Jan Gilligan, 3232 5th Avenue South, stated she was ashamed of the Mayor and related a recent experience with the dispatch handling of animals.

Christian Cornelius, 1122 4th Avenue NW, inquired about the urgency in taking over the shelter and shared her concern with the City making the animal shelter better without funding it.

Dr. Micki Lague, noted she was not happy with the way the shelter was run. Dr. League noted it was an exemplary job of the Mayor to get the animal shelter to this point. Dr. League commented on liability for bites from animals and disease within the shelter.

Jack Lagoso, 3100 4th Avenue North, gave a quote from Ghandi regarding the treatment of animals reflecting on the health of the society.

Aaron Weissman, 315 4th Avenue North, questioned the Commission why June 2007 was the first the public knew of the problems at the shelter, but encouraged the City to work with the HSCC to set quantifiable goals and performance objectives.

Commissioner Beecher reiterated the cooperation with the Humane Society and the City and urged the community to quit pointing fingers and work for a better arrangement for the animals.

Commissioner Beecher moved, seconded by Commissioner Hinz, that the City Commission authorize the City Manager to take all steps necessary for the City to assume direct responsibility for animal control, enforcement and shelter operations for an interim period and to work with animal welfare groups and individuals to encourage a suitable community-based organization to take over animal welfare programs.

Commissioner Rosenbaum reiterated that this was two entities agreeing to work together, for one main reason – the animals.

Commissioner Jovick-Kuntz related she was treated very kindly upon her visit to the animal shelter. She looked forward to a good relationship between the City and the Humane Society of Cascade County. She emphasized the need for financing, finding a director and getting the Animal Foundation and Humane Society to work together.

Motion carried 5-0.

NEW BUSINESS

ORDINANCES/RESOLUTIONS

**Ord. 2976,
Unincorporated Land
Being Combined with
the Incorporated Lots 3-
8, Block 3, 7th
Supplement to Skyline
Heights Addition.
Public hearing set for
August 7, 2007.**

6. ORDINANCE 2976, UNINCORPORATED LAND BEING COMBINED WITH THE INCORPORATED LOTS 3-8, BLOCK 3, 7th SUPPLEMENT TO SKYLINE HEIGHTS ADDITION.

Planning Director Ben Rangel reported that Ordinance 2976 assigns a zoning classification of R-2 Single-family medium density district upon the unincorporated land being combined with the incorporated Lots 3-8, Block 3, 7th Supplement to Skyline Heights Addition upon annexation of same to City.

Mr. Rangel further explained that the developer (Woith Engineering) had prepared an Amended Plat of Lots 3-8, Block 3, 7th Supplement to Skyline Heights Addition adding a narrow strip of land which was inadvertently not included on the original subdivision plat. The amended plat would not result in any additional lots.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission accept Ordinance 2976 on first reading and set a public hearing for August 7, 2007, to consider adoption of Ordinance 2976.

Motion carried 5-0.

**Consent Agenda.
Approved as printed.**

CONSENT AGENDA

7. Minutes, June 19, 2007, Commission meeting.
8. Total Expenditures of \$2,264,329 for the period of June 5-27, 2007, to include claims over \$5000, in the amount of \$2,030,770.
9. Contracts List.
10. Set public hearing for July 17, 2007, on Resolution 9675, Cost Recovery at 510 11th Street South.
11. Set public hearing for July 17, 2007, on Resolution 9670, Nuisance Abatement at 4727 2nd Avenue North.
12. Award construction contract for Sunnyside Water Pressure Improvements – Piping, Phase 1, to United Materials in the amount of \$1,119,880.(O.F. 1494.1)
13. Award contract to Abaris Group in the amount of \$32,348, to develop plans, contracts, and ordinances for pre-hospital care.
14. Approve medical director contract with Dr. Vega in the amount of \$14,400 for the fiscal year 2007/2008.
15. Appoint B.A.S.E. Trust Fund Trustees.

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

Michael Whitsoe, 510 11th Street South, remarked on the public comment period that had been instituted for the Consent Agenda.

Kathleen Gessaman, 1036 36th Avenue NE, inquired what the acronym B.A.S.E. stood for.

Motion carried 5-0.

BOARDS & COMMISSIONS

**Advisory
Commission on
International
Relationships.
Appoint Lindseth
and Murray.**

**16. APPOINTMENTS, ADVISORY COMMISSION ON
INTERNATIONAL RELATIONSHIPS.**

There were currently four openings on the Advisory Commission on International Relationships. Vacancies were available for the following member positions: Robert Harris, Virginia “Lee” Niebuhr, Jamie C. Smith, and Sara Hopkins Schoenenberger (deceased). After advertising in the Tribune and on the City’s website, only two applications were received.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Hinz, that the City Commission appoint Carol Lindseth and Matthew Murray to the Advisory Commission on International Relationships for three-year terms through March 31, 2010.

Motion carried 5-0.

19. CITY COMMISSION

Fireworks.

Commissioner Beecher noted that in his conversations with Chief Grove, the community was using restraint with fireworks. Commissioner Beecher reiterated that fireworks could be used only the next couple days – July 3rd and 4th.

3-Minute Rule.

Commissioner Beecher also gave a brief comparison to other communities that have time limits on public comment.

20. PETITIONS AND COMMUNICATIONS

Mayor Stebbins opened the meeting to Petitions and Communications, and asked that comments be confined to three minutes.

**Highwood Generating
Station.**

20A. John Stephens commended the Commission for the job they have done. Mr. Stephens also reported there are two candidates running for Mayor that are against the gasification plant. Mr. Stephens thought cigarettes had done more harm than any gasification plant.

**Highwood Generating
Station.**

20B. Mary Jolley, 1910 2nd Avenue North, corrected Mr. Stephens ‘gasification plant’ noting it was a Circulating Fluidized Bed. She noted if it was a gasification plant, half the people against it wouldn’t be against it. Ms. Jolley also stated if the City hadn’t started out owning some of it she wouldn’t have been against it. Ms. Jolley continued to explain that she attend the June ECP Board Meeting and heard a statement that the City may not own any of the plant.

- Downtown Great Falls Association.** 20C. **Tonya Jorgenson** representing the Business Improvement District introduced Jenny Harrant the Downtown Great Falls Advertising Director.
- Fireworks.** 20D. **Andre Deligdish**, 3016 Central Avenue, noted the fireworks ordinance was really working and thanked the Commission and the citizens who were following the ordinance.
- Undercover police officers.
Greenhouse issues.** 20E. **Ron Gessaman**, 1036 36th Avenue NE, remarked on the microphones not working properly and the undercover police officers not being in uniform. He also emphasized the need for clean industry and shared up-to-date greenhouse issue information.
- Animal control.** 20F. **Ann Murand**, 1205 2nd Avenue North, thanked John Lawton for helping the Humane Society to get things squared away.
- Election.** 20G. **Susan Kahn**, 1708 Alder Drive, introduced herself and announced she would be running for Mayor.
- Fireworks.** 20H. **John Hubbard** commented on taxes and gasoline prices being increased. Mr. Hubbard also noted that closing River Drive for fireworks was an imposition to the handicapped.
- Highwood Generating Station.** 20I. **Michael M. Whitsoe**, 2612 1st Avenue South, remarked that the Great Falls Tribune had reported on the designation of the Lewis & Clark National Landmark status could be affected by the impending coal-fired plant.
- Highwood Generating Station.** 20J. **Bret Doney**, 3048 Delmar Drive, commended Southern Montana Electric for plans and offers they have made to put in interpretative signs to enhance visitor experiences along the Lewis & Clark portage trail.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the regular meeting of July 3, 2007, be adjourned at 8:50 p.m.**

Motion carried 5-0.

Mayor Stebbins

Acting City Clerk