

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, Planning, Acting Fiscal Services Director, Police Chief, Fire Chief and the Acting City Clerk.

NEIGHBORHOOD COUNCILS**Vandalism and Graffiti in area.**

- 1A. **Aaron Weissman, Chairman** NC 7, noted that there had been recurrent problems with vehicle break-ins, gang graffiti and evidence of drug use within their neighborhood. Mr. Weissman reminded residents that using common sense rules such as not leaving valuables in the car, locking the car, and parking inside or in well-lit areas would help to prevent problems. Their Council had been in contact with the Neighborhood Watch.

PUBLIC HEARINGS**Res. 9660 Nuisance Abatement, GF 11th, B337, L3. Adopted.**

2. **RESOLUTION 9660, NUISANCE ABATEMENT, L3, B337, GF 11th ADD., 2608 1st AVENUE NORTH.**

Community Development Director Mike Rattray reported that the complaint process had been on-going on the property for about one year. Within that year, several citations had been issued. Staff was recommending Resolution 9660 be adopted, allowing the property to be abated.

Mayor Stebbins declared the public hearing open.

Those speaking in favor of Resolution 9660 were as follows:

Larry Gouldy, adjacent property owner, noted that the property's condition was a result of the owner's choices, and cited examples of various issues with the property.

Those speaking in opposition to Resolution 9660 were as follows:

Maria Laverdure, owner of said property, stated her husband had just come out of the nursing home and they were unable to pay for a battery or license for the vehicle. Ms. Laverdure added that everything else has been taken care of. They were waiting for her son to come home Saturday to help haul items with his truck.

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

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9660.

Motion carried 5-0.

Res. 9668, Vacate Segment of Sunset Road. Adopted.

3. RESOLUTION 9668, VACATE SEGMENT OF SUNSET ROAD.

Planning Director Ben Rangel reported that the Planning Department had received a petition to abandon the diagonal segment of Sunset Road extending between 20th Street SW and 5th Avenue SW. Mr. Rangel also reported that the small triangular parcel (Lot 6) located at the northwest corner of the intersection of 20th Street SW and 5th Avenue SW was owned by Cascade County which had provided an affidavit expressing no objection to the abandonment of the involved segment of Sunset Road.

Mayor Stebbins declared the public hearing open. Those speaking in support of Resolution 9668 were as follows:

Mike McPherson, 2001 5th Avenue SW, noted that this particular section was no longer needed and it created a traffic hazard responsible for many “near misses.” Mr. McPherson also advised the Commission an Amended Plat would be drafted upon vacation of this segment of road.

Patsy Worsley, 2013 5th Avenue SW, shared that she was one of the “near misses” Mr. McPherson referred to and concurred it would be in the best interest of the neighborhood to vacate this segment of Sunset Road.

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

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9668 subject to the applicant causing the appropriate amended plat to be prepared, executed and filed.

Motion carried 5-0.

Res. 9669, Engineering Division Construction Inspection Revised Fees. Adopted.

4. RESOLUTION 9669, ENGINEERING DIVISION CONSTRUCTION INSPECTION REVISED FEES.

Public Works Director Jim Rearden reported that the current rates for inspection fees charged by the Engineering Division of the Public Works Department for the inspection of public infrastructure being built by private developers for future acceptance into the City systems was established along with the Inspection Policy in 2004. Fees were intentionally kept low at that

time in order to ease the transition into the new policy. The City is now in the fourth year of performing these inspections. Operating costs have gradually increased over the years. This action will bring these fees more in line with the actual costs of performing the inspections and enforcing the Policy. The Engineering Division is requesting fee revisions to \$45 per hour for inspectors (plus a \$12 per hour surcharge for overtime) and \$75 per hour for engineers. These fees would be close to the actual cost of providing service, which is \$48.16 for inspectors and around \$78 for engineers and are calculated using the gross hourly wage multiplied by the Division multiplier.

Mayor Stebbins declared the public hearing open. No one spoke in support of or opposition to Resolution 9669. Mayor Stebbins closed the public hearing.

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Resolution 9669.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Res. 9652, Intent to Create Special Improvement Lighting District – City-Owned Residential Lighting No. 1308, Eagles Crossing Phase II and Phase III. Adopted.

5. RESOLUTION 9652, INTENT TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED RESIDENTIAL LIGHTING NO. 1308 IN EAGLES CROSSING PHASE II AND PHASE III – FIRST PHASE CONSTRUCTION.

Budget Director Melissa Kinzler reported that Staff had received a signed letter/petition from the developer of the Eagles Crossing Phase II and Phase III Addition requesting street lights be installed. The letter/petition was for the installation of thirteen (13) 150 watt HPS street lighting units on 20 foot steel poles with underground wiring. There are forty-one (41) properties being constructed within the boundaries of the Special Improvement Lighting District in Eagles Crossing Phase II and Phase III Addition – First Phase Construction.

Commissioner Hinz moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9652 and set a public hearing for July 17, 2007.

Motion carried 5-0.

**Consent Agenda.
Approved as printed.**

CONSENT AGENDA

6. Minutes, June 5, 2007, Commission meeting.
7. Total Expenditures of \$1,504,912 for the period of May 25 through June 13, 2007, to include claims over \$5000, in the amount of \$1,262,338.
8. Contracts List.
9. Set public hearing for July 3, 2007, on Res. 9661, Intent to Increase Property Tax, and Res. 9662, Annual Budget Resolution.
10. Set public hearing for July 3, 2007, for the 2007/2008 Business Improvement District budget and work plan.
11. Authorize distribution of the FY 2006/2007 surplus for the Tax Increment Bond Fund.
12. Approve Housing Rehab to add a Water/Sewer program to the current loan programs.
13. Approve 2008 Agreement with the Montana Department of Transportation for Maintenance of Traffic Signals on State Routes.
14. Award bid for Asphaltic Concrete Materials to Great Falls Redi-Mix Inc. of Great Falls in the amount of \$547,900.
15. Approve Professional Services Agreement for the 9th Street Northeast Storm Drain Extension to HKM Engineering in the amount of \$19,222.
16. Award bid for the 10th Street Bridge Beautification to Liberty Electric, Inc. in the amount of \$139,500.
17. Approve purchase of new I-Series model 525 from Pacific Software of Spokane, Washington, in the amount of \$141,322.85 and any additional costs.
18. Approve addendum to the 911 Center Inter-local Agreement with Cascade County.
19. Approve Extension of Animal Control/Shelter Operation Contract with the Cascade County Humane Society through June 30, 2007.

Commissioner Jovick-Kuntz asked if Chief Grove could give a report could be given on Item 18. Chief Grove explained that by combining the computer operations into one system, law enforcement services would be enhanced, allowing the officers to respond with more accurate and up-to-date information.

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

Commissioner Hinz noted that the term of the Animal Control/Shelter Contract should have read July 31, 2007, rather than June 30, 2007.

Commissioner Beecher amended his motion to reflect the change.

Motion carried 5-0.

BOARDS & COMMISSIONS

Business Improvement District. Reappoint Fried and Longin. Appoint Alley.

20. APPOINTMENT, BUSINESS IMPROVEMENT DISTRICT.

Allison Fried was appointed on July 1, 2003, and Anthony Longin was appointed on February 21, 2006. Both Ms. Fried and Mr. Longin were interested in and eligible for reappointment. Andrew Davidson was appointed in 1998. Mr. Davidson was not eligible for reappointment; therefore, it was necessary to appoint one new member to fill his position on the Board.

Commissioner Hinz moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission reappoint Allison Fried and Anthony J. Longin to the Business Improvement District for four-year terms through June 30, 2011; and appoint Steve Alley to a four-year term beginning July 1, 2007, and expiring June 30, 2011.

Motion carried 5-0.

Library Board. Reappoint Kelly.

21. REAPPOINTMENT, LIBRARY BOARD.

Library Board member Paul Comer passed away on December 17, 2006. On April 3, 2007, Sheila Kelly was appointed to fill the remainder of Mr. Comer's term through June 30, 2007. Ms. Kelly is interested in reappointment.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission reappoint Sheila Kelly to the Library Board for a five-year term through June 30, 2012.

Motion carried 5-0.

CITY COMMISSION

4th of July Ordinance.

24. Commissioner Beecher reminded the public that the new Fireworks ordinance stipulates dates and times for setting off legal fireworks. July 2-3-4 from 8:00 a.m. to Midnight.

PETITIONS AND COMMUNICATIONS

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

Toxic Waste Sites.

25A. John Hubbard distributed a map to the City Commission concerning alleged toxic waste dump sites. He also expressed his concern for the state lottery and funding for the schools.

Animal Control/Shelter Contract Extension.

25B. Susan Overfelt, 251 Gordon Road, Vaughn, Montana, stated her dissatisfaction with the awarding of the contract extension for Animal Control/Shelter. Ms. Overfelt contended there were ties to City officials that may have manipulated the bid and awarding process.

Mayor Stebbins reminded Ms. Overfelt to conclude her presentation within the three-minute time frame allotted.

After Officers Schalin and Brooks admonished Ms. Overfelt that she must follow the rules, she continued to attempt speaking and resisted the Officers efforts to escort her from the chambers. Whereupon the Officers used reasonable force to remove Ms. Overfelt from the Commission Chambers.

Thank you to Peggy Bourne.

25C. Catherine Gessaman, 1006 36th Avenue NE, commended Peggy Bourne on the excellent service she had provided in her years of service with the City.

Adjourn.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of June 19, 2007, be adjourned at 7:48 p.m.**

Motion carried 5-0.

Mayor Stebbins

Acting City Clerk