

Regular City Commission Meeting

Mayor Pro-Tempore Hinz presiding

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

**PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS:** Mayor Pro-Tempore Hinz read proclamations for National Day of Prayer, Older Americans and the Day of Community Celebration.

**NEIGHBORHOOD COUNCILS**

**NC 4 Updates.**

- 1. **Audrey Finlayson**, NC 4, stated that Neighborhood Council 4 has been looking into community decay issues. She added that several high school students attended their meeting and had some ideas on graffiti issues at the Skate Park.

**PUBLIC HEARINGS**

**Res. 9646 and Ord. 2970, annexation and zoning for Hilton Garden Inn Minor Subdivision. Adopted.**

- 2A. **RESOLUTION 9646, ANNEXATION OF HILTON GARDEN INN MINOR SUBDIVISION.**
- 2B. **ORDINANCE 2970, ZONING FOR HILTON GARDEN INN MINOR SUBDIVISION.**

Planning Director Ben Rangel reported that Resolution 9646 annexes the unincorporated portion of the proposed Hilton Garden Inn Minor Subdivision. Ordinance 2970 assigns a zoning classification of C-2 general commercial district to Lots 1 and 2, Block 1, and R-5 multi-family residential medium density district to the unincorporated portion of Lot 1, Block 2. Ordinance 2970 also rezones a portion of Lot 1, Block 2, from R-2 single-family medium density district to R-5 multi-family residential medium density district.

The Planning Board at the conclusion of the public hearing held November 14, 2006, passed a motion recommending the City Commission annex the unincorporated portion of what is now being platted as Hilton Garden Inn Minor Subdivision, subject to the following conditions being fulfilled by the applicant provide the appropriate easements to accommodate necessary utilities; submit and obtain approval of the Public Works Department of the final engineering documents for the required public improvements to serve the project; sign an annexation agreement; and pay applicable fees and reimbursements.

In addition, the Planning Board during a meeting held March 27, 2007, passed a motion recommending the City Commission approve the Plat of the Hilton Garden Inn Minor Subdivision and the accompanying Findings of Fact subject to correction of any errors or omissions noted by staff.

The Zoning Commission, at the conclusion of the public hearing, passed a motion recommending the City Commission assign the requested zoning.

Mayor Pro-Tempore Hinz declared the public hearing open. Those speaking in support included **Mark Macek**, representative for Erck Hotels, **Phyllis Erck**, Erck Hotels and **Brett Doney**, Great Falls Development Authority.

**Laura Gustafson** spoke in opposition to Resolution 9646 and Ordinance 2970.

There being no one further to address the Commission, Mayor Pro-tempore Hinz declared the public hearing closed.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9646 and approve the minor plat, Findings of Fact and Agreement all related to Hilton Garden Inn Minor Subdivision.**

Commissioner Jovick-Kuntz asked if the anticipated density for the condominiums could increase. She also asked what would happen to the easement that ran along the back of the abutting property owners land. Ben Rangel explained that one structure could be built per 1078 square feet. Given that parameter and the height restriction of 20 feet, only 30 units could be constructed. He also explained that the easement in question was dedicated to be an alley. However, it had never been developed as an alley nor were there any plans for it to be. He suggested that the area may be landscaped in conjunction with this project.

**Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Ordinance 2970.**

Motion carried 4-0.

### **OLD BUSINESS**

**2007/2008 CDBG & HOME Funds Annual Action Plan. Approved.**

**3. 2007/2008 COMMUNITY DEVELOPMENT BLOCK GRANT / HOME ANNUAL ACTION PLAN.**

CDBG Coordinator Chris Imhoff reported that the Consolidated Plan is a five-year planning and reporting document required by the U.S. Department of Housing and Urban Development which was completed and Commission approved in April 2005. The Plan includes a community needs assessment, housing market analysis, strategic plan and an Annual Action Plan. The

Annual Action Plan portion of the Consolidated Plan includes the proposed use of CDBG and HOME funds for the approaching fiscal year. Community Development Block Grant and HOME Grant project applications were received in February 2007. The Community Development Council reviewed the applications and made funding recommendations.

**Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt the Annual Action Plan including the 2007/2008 Community Development Block Grant and HOME Program funds as recommended.**

Motion carried 4-0.

### **NEW BUSINESS**

**Res. 9654, Annual Special Improvement District Revolving Fund Analysis. Adopted.**

**4. RESOLUTION 9654, ANNUAL SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND ANALYSIS.**

Fiscal Services Director Coleen Balzarini reported that Analysis of the Special Improvement District (SID) Revolving Fund and Subsidiary Debt Service Funds showed that one SID Subsidiary Fund (SID 1248) was complete and ready for closure to the SID Revolving Fund, that one SID Subsidiary Fund (SID 1248) had funds available for a partial repayment of a prior year loan and required a write-off of the loan balance, and that sufficient cash balance existed in the SID Revolving Fund to release \$100,000 to the General Fund.

The projected June 30, 2007, SID Revolving Fund balance was projected to be \$184,193. This was \$138,193 above the minimum balance required by State Statute, and \$152,307 below the maximum amount allowed by IRS Arbitrage Standards related to maximum debt service reserves.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9654.**

Motion carried 4-0.

**Res. 9656, Relating to \$2,270,000 General Obligation Swimming Pool Bonds, Series 2007. Adopted.**

**5. RESOLUTION 9656, RELATING TO \$2,270,000 GENERAL OBLIGATION SWIMMING POOL BONDS SERIES 2007 (OF 1501).**

Fiscal Services Director Coleen Balzarini reported that on August 15, 2006, the City Commission adopted Resolution 9605 which called for the submission of the question to issue up to \$2,270,000 of general obligation bonds to pay for the costs of improving and upgrading to facilities at the Jaycee, Mitchell, and Water Tower facilities to the qualified voters of the City.

Resolution 9656 awards the sale of general obligation bonds in the amount

of \$2,270,000 to Stifel Nocolaus, Hanifen Imhoff Div., of Denver, Colorado, who bid the lowest net interest cost payable on the bonds of 3.855117 percent. The City received seven bids. The bond proceeds will be used to pay for upgrading and improving certain City swimming facilities as approved by Great Falls voters on November 7, 2006.

**Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9647.**

Fiscal Services Director asked the Commission to amend the motion to read "Adopt Resolution 9656."

**Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz to amend the motion to read, "That the Commission adopt Resolution 9656."**

Commissioner Jovick-Kuntz asked about the construction schedule. Park and Recreation Director Jim Sullivan reported that the bids will open May 16, 2007. The timeline for the project involves working on one neighborhood pool this summer and then beginning the improvements at the second neighborhood pool and Mitchell Pool in the fall. He added that kids will be able to use one of the neighborhood pools this summer.

Motion carried as amended 4-0.

**Consent Agenda.  
Approved as printed.**

**CONSENT AGENDA**

6. Minutes, April 17, 2007, Commission meeting.
7. Total Expenditures of \$1,479,168 for the period of April 11 - 25, 2007, to include claims over \$5000, in the amount of \$1,302,555.
8. Contracts List.
9. Set public hearing for June 5, 2007, on Resolution 9648, Establish Electric City Power utility rates through June 30, 2011, for Block One customers. (O.F. 1472.1)
10. Cancellation of checks that remain outstanding and unpaid for the period of one year or longer.
11. Final payment to Advanced Earthwork and the State Miscellaneous Tax Division in the amount of \$55,193.61 for the 2<sup>nd</sup> Avenue SW Storm Drain Extension. (O.F. 1449)
12. Change Order 1 in the amount of \$59,666 to Stanley Consultants, Inc. for Renewable Energy Design Services for the Wastewater Treatment Plant Co-Generation Project. (O.F. 1404)
13. Bid Award for Liquid Aluminum Sulfate in the amount of \$295.51 per dry ton to Thatcher Company for the Water Treatment Plant.
14. Bid Award for Liquid Chlorine in the amount of \$619 per ton to DPC Industries, Inc. for the Water Treatment Plant.
15. Bid Award for Anhydrous Ammonia in the amount of \$145 per 147-lb cylinder to DPC Industries, Inc., for the Water Treatment Plant.

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, asked how the City Commission could set a public hearing on electric power rates when the Electric City Power Board has not had a chance to review them yet. City Manager John Lawton explained that the Electric City Power Board will have two meetings to review the rates before the City Commission holds a public hearing on them.

Motion carried 4-0.

**BOARDS & COMMISSIONS**

**Regional Airport Authority Board Appointment Procedure. Adopted.**

**16. REGIONAL AIRPORT AUTHORITY BOARD.**

Airport Manager Cynthia Schultz explained that the Airport Authority requested the City Commission adopt an appointment procedure to be used when filling vacancies on the Airport Board. The intent is to cultivate and select qualified Board members who can fill gaps in the knowledge base as well as select members who recognize the importance the Airport has in economic development and growth for the community and the region and to ensure fiscal responsibility of the airport functions.

Commissioners Beecher and Jovick-Kuntz worked with Airport Board members Jeff Mangan and Ray Wahlert in drafting this appointment procedure.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt the Airport Authority Appointment Procedure.**

Motion carried 4-0.

**PETITIONS AND COMMUNICATIONS**

**Electric City Power and citizen input.**

**20A. Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, thanked Mayor Pro-tempore Hinz for asking for citizen comment on each issue prior to Commission action. He explained that the Commission’s agenda includes a statement that allows for this, however, it typically has not been done. He also expressed concern over the staff report related to Resolution 9648. He explained that the staff report states that this resolution was initiated by the Electric City Power Board. However, the Board has not had an opportunity to discuss the proposed rates.

**Economic Development**

**20B. Brett Doney**, Great Falls Development Authority, explained that the staff from the Office of Economic Adjustment from the Department of

**Update.**

Defense will be arriving in Great Falls to study the economic impact related to the loss of the missile mission at Malmstrom. He also stated he would pass on an article he recently read related to the cost impact a CO2 tax will have on electricity generated by coal plants.

**Climate Protection Agreement.**

**20C. Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue NE, encouraged the City to join other cities by signing the Climate Protection Agreement. She added that she too read an article recently about global warming and that it is on the top ten list of issues to address.

**Adjourn.**

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of May 1, 2007, be adjourned at 8:07 p.m.**

Motion carried 4-0.

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Mayor Pro-Tempore Hinz

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Peggy Bourne, City Clerk