

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, Public Works, Library, Acting Directors for Park and Recreation and Planning, Police Chief, Fire Chief and the City Clerk.

**PROCLAMATION:** Mayor Stebbins read a proclamation regarding National Volunteer Week.

**PRESENTATION:** Mayor Stebbins presented Budget Officer Melissa Kinzler with the GFOA Distinguished Budget Award.

**NEIGHBORHOOD COUNCILS**

- 1. There were no reports or announcements from the Neighborhood Councils.

**PUBLIC HEARINGS**

**Res. 9644 and Ord. 2966, annexation and zoning for Fair Guys Add. Adopted.**

- 2A. RESOLUTION 9644, ANNEXATION OF FAIR GUYS ADDITION.
- 2B. ORDINANCE 2966, ZONING FOR FAIR GUYS ADDITION.

Planning Director Ben Rangel reported that Resolution 9644 annexes Fair Guys Addition which consists of a single 3.57 acre lot and dedicates a segment of right-of-way for the abutting portion of 22 Street Northwest. Ordinance 2966 assigns a zoning classification of I-1 light industrial district to it. The land is located on the south boundary of Interstate 15 and just west of Forde’s Nursery.

Neighborhood Council 2 expressed concern that a casino could be built on the lot if given the zoning classification requested. Mr. Rangel explained that the Land Development Code allows bars and casinos in I-1 light industrial zoning districts. However, Casino, type II could not be located within 350 feet of residentially zoned property and Casino, type I must meet stringent development and appearance standards. Additionally, the types of hazardous and offensive conditions that concerned Council 2 generally involved the types of businesses allowed in I-2 heavy industrial zoning district. These types of businesses are not allowed in I-1 light industrial zoning district. Because of that, staff determined the Land Development Code, along with other State and municipal codes applicable to these types of land uses, would address the Council’s concerns.

The Planning Board unanimously recommended the City Commission approve the Minor Plat and its annexation subject to the following conditions: the applicant sign an annexation agreement; install public infrastructure within 2 years; pay a proportionate share of paving, curb, gutter and sidewalk of 22<sup>nd</sup> Street NW when deemed necessary; submit plans to the Design Review Board; pay all applicable fees; correct any errors or omissions on the minor plat noted by staff; and have the Public Works Department approve final engineering documents.

The Zoning Commission unanimously recommended the City Commission approve the requested zoning.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9644 or Ordinance 2966.

**Commissioner Hinz moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission adopt Resolution 9644 and approve the Minor Plat, Findings of Fact and Annexation Agreement all related to Fair Guys Addition.**

Motion carried 5-0.

**Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2966.**

Motion carried 5-0.

**CDBG Action Plan  
Public Hearing.**

**3. COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN.**

CDBG Coordinator Chris Imhoff reported that HUD regulations require a public hearing on the Proposed Annual Action Plan which includes the use of 2007/2008 CDBG and HOME funds.

She added 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.

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

**Audrey Finlayson**, RSVP, stated she supported the funding recommendation for the Neighborhood Watch Program. She added that the funding would provide necessary public information tools for the program.

**Nancy Wilson**, Meals on Wheels, stated she supported the funding recommendation for Meals on Wheels.

**Nancy Hampton**, Neighborhood Watch Coordinator, stated she supported the funding recommendation for the Neighborhood Watch Program.

**Kathy Lear**, Paris Gibson Square, stated she supported the funding recommendation for the Paris Gibson Square program which would be used to enhance art educational opportunities for adults with disabilities.

**Lisa Gross**, Paris Gibson Square curator, echoed Ms. Lear's comments.

**Al Henry**, Neighborhood Housing Services, thanked the City for partnering with their program over the years which has had tremendous impact in Great Falls.

**Tina Cabbage**, Big Brothers/Big Sisters, explained that the proposed CDBG allocation would assist with necessary technological upgrades that were important to the continued success of Big Brothers/Big Sisters without competing with programming funds.

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

### **OLD BUSINESS**

### **NEW BUSINESS**

**OF 1472.2 Phase  
Two Contract with  
RW Beck.  
Approved.**

#### **4. RW BECK CONTRACT RELATED TO THE HIGHWOOD GENERATING STATION (OF 1472.2).**

City Manager John Lawton reported that the City Commission was asked to authorize the first four tasks of Phase Two which involve completion of the Phase One work and then helping develop offering packages which could include a green power package, pricing, and terms for long term contracts beginning in 2012. The cost for this work was estimated to be \$103,500.

The Electric City Power Board reviewed the Phase II tasks on April 1, 2007, and recommended approval of the proposed scope of work. The remainder of Phase Two tasks will involve due diligence work for the actual bond issue and will be presented to the City Commission for consideration at a later date.

He added that Southern Montana Electric G&T should soon receive the Record of Decision on the EIS from the Rural Utility Service, followed by the Air Quality Permit from the Department of Environmental Quality. There were some immediate steps the City needed to take as well. ECPI's existing customers now have or soon would have electricity supply contracts through 2011. It was important to concentrate on the longer term contracts that would go into effect with the beginning of Highwood Generating Station operations. This was also true for the prospective customers. To do this the City needed to authorize RW Beck to continue with Phase Two of their work. Specifically, the City needed to authorize the first four tasks of Phase Two which involved completion of the Phase One work.

Mr. Lawton added that at this time, all indications were that the City's participation in the Highwood Generating Station would go forward although some adjustments in the project structure could be made. To deal with any uncertainties that may come up with respect to City participation in the Highwood Generating Station, the follow-on contract with RW Beck was written so that the City could stop work at any time it appeared to be infeasible to continue. Costs would stop if work stopped. Because of a variety of pending decisions, the most significant risk period will be during the next three weeks while various project components would be in a fluid state. City staff will monitor pending decisions daily, inform the Commission, and if it appeared there was a negative development, adjustments would be made accordingly.

Mr. Lawton added that the City has paid R. W. Beck \$78,000 for Phase One. Their work to finish this phase plus the additional work described above amounts to a total of \$181,500. At this time, the payment for these two phases would be included within the \$2 million already approved by the City Commission for Highwood Generating Station development work. When bonds were sold for the City's share of Highwood Generating Station, these funds will be repaid. In the event the bonds were not sold, or if the City Commission chose to fund the RW Beck work from another source, the cost could be paid from balances residing in several funds including the Economic Development Revolving fund. This possibility could be minimized in that the RW Beck work could be stopped at any time it appears that the City's participation in the project will not go forward.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that City Commission approve engaging RW Beck as independent engineers for Phase Two of the review of the Highwood Generating Station project for an estimated cost of \$103,500 inclusive of professional fees and direct expenses, and authorize the City Manager to execute the contract.**

Commissioner Hinz stated she would vote against this motion. She explained that she supported the creation of Electric City Power as a measure to stabilize electricity prices. She also supported the City's

membership with SME. However, she could not support the construction of the Highwood Generating Station primarily because of environmental concerns and that she believed it was a step backward.

Motion carried 4-1.

**ORDINANCES AND RESOLUTIONS**

**5. ORDINANCE 2969, ZONING FOR CASTLE PINES ADDITION, PHASE V.**

Planning Director Ben Rangel reported that upon adoption Ordinance 2969 assigns a zoning classification of R-3 single-family high density district to Castle Pines Phase V. The proposed development consists of 21 single-family residential lots located in the vicinity of 27 Avenue South and 13 Street South.

**Ord. 2969, zoning for Castle Pines Add., Phase V. Accepted on first reading and set public hearing for May 15, 2007.**

**Commissioner Hinz moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission accept Ordinance 2969 on first reading and set the public hearing for May 15, 2007, to consider adoption of Ordinance 2969.**

Motion carried 5-0.

**Ord. 2971, zoning for Mount Olivet Minor Subdivision. Accepted on first reading and set public hearing for May 15, 2007.**

**6. ORDINANCE 2971, ZONING FOR MOUNT OLIVET MINOR SUBDIVISION.**

Planning Director Ben Rangel reported that upon adoption Ordinance 2971 assigns a zoning classification of PLI Public lands and institutional district to Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision. The lots, consisting of 92 acres, are located east of 26 Street South along a segment of 18 Avenue South. Central Catholic High School is currently under construction on one of the lots to be annexed and uses for the other three lots being annexed have not been identified.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Hinz, that the City Commission accept Ordinance 2971 on first reading and set the public hearing for May 15, 2007, to consider adoption of Ordinance 2971.**

Motion carried 5-0.

**Consent Agenda. Approved as printed.**

**CONSENT AGENDA**

- 7. Minutes, April 3, 2007, Commission meeting.
- 8. Total Expenditures of \$792,639 for the period of March 30 through April 11, 2007, to include claims over \$5000, in the amount of \$608,660.

- 9. Contracts List.
- 10. Grant List.
- 11. CTEP Funding Request to purchase property for the scenic, conservation and trail purposes (21N, R4E, Section 33, Lot 3, Mark 8).
- 12. Co-sponsorship of Frozen Explosion in an amount not to exceed \$500 for the use of the Mansfield Convention Center.

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

Motion carried 5-0.

**BOARDS & COMMISSIONS**

**Police  
Commission.  
Appointed.**

**13. APPOINTMENTS, POLICE COMMISSION.**

Terms of previous members of the Police Commission expired therefore, it was necessary to make new appointments. It was recommended that the terms be staggered.

**Commissioner Jovick-Kuntz moved, seconded by Commissioners Rosenbaum and Hinz, that the City Commission make the following appointments to the Police Commission: Thomas P. Meeks to a one-year term beginning April 17, 2007, and expiring June 30, 2008; Martin Sinclair to a two-year term beginning April 17, 2007, and expiring June 30, 2009; and Joe Tropila to a three-year term beginning April 17, 2007, and expiring June 30, 2010.**

Motion carried 5-0.

**Transit Board.  
Appoint Meade.**

**14. JOINT APPOINTMENT, TRANSIT BOARD.**

The City and County Commissions are required to jointly fill vacancies of elected members on the Transit District Board that may be caused due to no one filing for the position or an elected person resigning from the Board. The appointment process involves a representative from the County Commission and one from the City Commission to review applications and to recommend one person to both Commissions for appointment. Mayor Stebbins served as the City Commission’s representative to that subcommittee. County Commissioner Beltrone served as the County Commission’s representative. After reviewing the applications received, the sub-committee recommended the appointment of Ann Marie Meade to the Transit Board. This term will be until the next election whereby Transit members are elected or November 30, 2007.

**Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission appoint Ann Marie Meade to fill a vacancy on the Great Falls Transit District Board created when Patrick Maloney, an**

elected member resigned. This term shall expire November 30, 2007.

Motion carried 5-0.

### PETITIONS AND COMMUNICATIONS

#### **Highwood Generating Station.**

The following people provided testimony regarding the Highwood Generating Station. **Larry Resentes** (2208 1<sup>st</sup> Avenue North); **Ken Thornton** (31 Paradise Road); **Courtney Ralphs (sp)**, (314 3<sup>rd</sup> Street North #109); **Charles Christensen**, (400 13<sup>th</sup> Avenue South); **Lisa Hardiman**, (3726 4<sup>th</sup> Street North); **Tim Brown**, (2736 Carmel); **Cheryl Reichert**, (Great Falls); **Dave Fritschen**, (317 3<sup>rd</sup> Street North); **John Hubbard**, (Great Falls); **Audrey Deligdisch**, (3016 Central Avenue); **Ron Gessaman** (1006 36<sup>th</sup> Avenue NE); **Tom Brown**, (1314 6<sup>th</sup> Avenue North); **Carol Fisher**, (520 53<sup>rd</sup> Street South); **Donna Kramer**, (1604 2<sup>nd</sup> Avenue South); **Merton Freyholtz**, (Gilford Montana); **Neil Taylor**, (3417 4<sup>th</sup> Avenue South); **Mary Jolley**, (1910 2<sup>nd</sup> Avenue North); **Stuart Lewin**, (615 3<sup>rd</sup> Avenue North); **Collanth Wilson-Pont (sp)** (99A Missouri River Lane); **Gloria Smith**, (Great Falls); and **Butch Ankins** (Square Butte).

The comments generally pertained to the RW Beck contract, the Lewis & Clark landmark location, pollution, the increased use of wind power, the need for a police presence at the demonstration coordinated by Citizens for Clean Energy, the US Mayors Climate Protection Agreement, and operating costs and technology to be used at the Highwood Generating Station.

**Ole Stimac**, (Plumbers and Pipefitters Local 41) spoke in support of the Highwood Generating Plant.

**Brett Doney** (Great Falls Development Authority) reported that Cascade County employment grew 3.8 percent. Mr. Doney encouraged everyone to look at HB25 which would preclude electric co-ops from adding wind-generators in with other electric generation facilities. He asked everyone to assist in securing the transmission lines to Canada.

**Audrey Deligdisch**, (3016 Central Avenue) asked when the fee resolution associated with the Animal Ordinance would be available to the public. City Clerk Peggy Bourne stated that staff was finishing it and would be made available in the near future.

**Kathleen Gessaman**, (1006 36<sup>th</sup> Avenue NE) thanked the City Commission for contributing CTEP funds for the purchase of the scenic land across from the Interpretive Center. She also asked about a statement on the Agenda encouraging public participation on all agenda items prior to the Commission taking action. Mayor Stebbins stated that referred to special presentations at work sessions.

**Adjourn.**

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Hinz, that the regular meeting of April 17, 2007, be adjourned at 8:35 p.m.**

Motion carried 5-0.

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Mayor Stebbins

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Peggy Bourne, City Clerk