

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

PROCLAMATIONS: Mayor Stebbins read a proclamation for Groundhog Job Shadow Day.

PRESENTATION: Dave Kuhn and Dean Stockton, Great Falls Emergency Services, provided a brief presentation and annual report to the City Commission regarding the services they provide.

NEIGHBORHOOD COUNCILS

**West Bank
Urban Renewal
District.**

1A. Bob Mehlhoff, NC2, stated he did not realize how much park land was on the west side and asked to expand the Urban Renewal District to include all the park land adjacent or near the proposed boundaries of the proposed District.

**Pedestrian
Crossing**

1B. Erin Tropila, NC7, expressed concern about pedestrian safety on 9th Street. She asked staff to consider doing PSAs to help educate the public about the crosswalks and for the Police Department to provide additional enforcement.

PUBLIC HEARINGS

**Res. 9630,
Building,
Electrical and
Mechanical
Permit Fees.
Adopted.**

2. RESOLUTION 9630, BUILDING, ELECTRICAL AND MECHANICAL PERMIT FEE INCREASE.

Building Inspector Jeff Jenkins reported that Resolution 9630 sets new fees for building, plumbing, electrical and mechanical permits. The proposed fee schedule generally represented a 4 percent increase and would take effect March 1, 2007.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to the Resolution. Mayor Stebbins declared the public hearing closed and asked for the direction of the City Commission.

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9630.

Motion carried 5-0.

Res. 9632, Vacate Unused Segments of 10th Street North and 11th Avenue North. (Amended Plat GF Townsite, B33 and GF 1st Add., B30 and B34.) Adopted.

3. RESOLUTION 9632, VACATE UNUSED SEGMENTS OF 10TH STREET NORTH AND 11TH AVENUE NORTH, (GF TOWNSITE BLOCK 33 AND 1ST ADDITION TO GF TOWNSITE BLOCKS 30 AND 34.

Planning Director Ben Rangel reported Resolution 9632 vacates unused segments of 10th Street North and 11th Avenue North rights-of-way in the vicinity of 1025 11th Street North. An amended plat was prepared to aggregate the proposed vacated rights-of-way and the abutting portions of Block 33, GF Townsite and Blocks 30 and 34, 1st Addition to GF Townsite into one parcel.

Mayor Stebbins declared the public hearing open. No one spoke in support of or opposition to Resolution 9632. Mayor Stebbins declared the public hearing closed.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9632 and authorize the appropriate City officials to execute the involved Amended Plat and Easement Agreement.

Motion carried 5-0.

OLD BUSINESS

Ord. 2933, Amending OCCGF Title 6, Chapter 8, Pertaining to Animals. Adopted.

4. ORDINANCE 2933, AMENDING OCCGF TITLE 6, CHAPTER 8, PERTAINING TO ANIMALS.

Chief Prosecutor Kory Larsen reported that following the public hearing on January 2, 2007, staff proposed several amendments to Ordinance 2933. The amendments pertained to establishing an appeal process for those people who may be denied a multiple animal permit; to allow cats to be chipped rather than wearing a collar and modifying language related to the surrender of animals section.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum that Ordinance 2933 be removed from the table.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz that the City Commission adopt Ordinance 2933 as amended.

Motion carried 5-0.

NEW BUSINESS

**Ord. 2950,
OCCGF Title 17,
(Land
Development
Code
Amendments).
Accepted on first
reading and
public hearing set
for February 6,
2007.**

5. ORDINANCE 2950, GREAT FALLS LAND DEVELOPMENT CODE AMENDMENTS (OCCGF TITLE 17).

Planning Department Director Ben Rangel reported that Ordinance 2950 amends various chapters of the City Land Development Code to address editorial, typographical and housecleaning items; to provide additional clarification and consistency; to refine wording and definitions; to reduce some procedural steps and requirements; and to expand some provisions.

Commissioner Hinz moved, seconded by Commissioner Jovick-Kuntz, that the City Commission accept Ordinance 2950 on first reading and set the public hearing for February 6, 2007.

Motion carried 5-0.

**Ord. 2958,
Repealing
Certain Sections
of the OCCGF.
Accepted on first
reading and
public hearing set
for February 6,
2007.**

6. ORDINANCE 2958, REPEALING CERTAIN SECTIONS OF THE OFFICIAL CODES OF THE CITY OF GREAT FALLS THAT WERE REPLACED, RECODIFIED OR IN CONFLICT WITH THE LAND DEVELOPMENT CODE.

City Clerk Peggy Bourne reported that the City Commission adopted Ordinance 2923 on September 6, 2005, known as the "Land Development Code" which replaced OCCGF Title 17, but did not remove any other affected sections of the code book. In order to reduce confusion and conflict between other Titles, certain sections of OCCGF needed to be repealed.

Commissioner Rosenbaum moved, seconded by Commissioner Hinz, that the City Commission accept Ordinance 2958 on first reading and set the public hearing for February 6, 2007.

Motion carried 5-0.

**Res. 9634,
Establishing a
three-minute
time limit for
persons
addressing the
City Commission
during the public
comment period.
Adopted.**

7. RESOLUTION 9634, ESTABLISHING A THREE-MINUTE TIME LIMIT FOR PERSONS ADDRESSING THE CITY COMMISSION DURING THE PUBLIC COMMENT PERIOD.

City Attorney David Gliko reported that it was deemed necessary to maintain the proper decorum at City Commission meetings to ensure a safe and orderly forum for public participation by: establishing a three minute time limit for each person speaking during the "Public Comment" (Petitions and Communications) period; prohibiting vulgar, profane and impertinent speech; limiting speech to matters of significant public interest within the City jurisdiction; and prohibiting bags or backpacks at the rostrum.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9634.

Commissioner Hinz stated that she was not comfortable limiting public participation. However, this Resolution did not affect those addressing the Commission during public hearings. Additionally, the Commission may extend the time limit with appropriate permissions.

Motion carried 5-0.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA

8. Minutes, January 2, 2007, Commission meeting.
9. Total Expenditures of \$1,962,927 for the period of December 29, 2006, through January 10, 2007, to include claims over \$5000, in the amount of \$1,785,367.
10. Contracts list.
11. Memorandum of Understanding between the City of Great Falls and the Upper/Lower River Road Water and Sewer District for Service District #2 (O.F. 1354).
12. Change Order 1 in the amount of \$2,700 and Final Payment of \$75,507.73 to Smith Power Products for procurement and delivery of engine, generator and gas treatment equipment to the Wastewater Treatment Plant Cogeneration Project (O.F. 1404).
13. Contract Amendment 1 in the amount of \$25,000 to Thomas Dean & Hoskins, Inc. for the BNSF/MDT Overlook Drive Water Mains (O.F. 1307).
14. Award Bid for one new 2006 Sewer TV Inspection System to Utility Specialties in the amount of \$62,456 including trade-in and the optional cost for an additional camera.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

**Community
Development
Council.
Appointed
Barron, Boham
and Bos for
three-year terms
through January
31, 2010.**

15. **APPOINTMENTS TO THE COMMUNITY DEVELOPMENT COUNCIL.**

Arthur Bundtrock served on the Community Development Council since 2003. He was eligible for, but not interested in reappointment. David Davis and Mary Dupuis served since 2001 and were not eligible for reappointment. Therefore, it was necessary to appoint three members to the Community Development Council.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission appoint L. Annie Barron, Russell Boham and Darlene Bos for three-year terms through January 31, 2010, to the Community Development Council.

Motion carried 5-0.

17. CITY MANAGER'S REPORT.**Response to public comments regarding the Highwood Generating Station and Electric City Power, Inc.**

City Manager John Lawton and consultant Ken Reich presented information in response to questions related to Electric City Power Inc., Southern Montana Electric (SME) and the Highwood Generating Station. General topics of discussion included:

- The City's position in the Highwood Generating Station and in Southern Montana Electric G&T.
- The City's energy related expenditures as of June 30, 2006.
- The Environmental Impact Statement status and process.

19. PETITIONS AND COMMUNICATIONS**Highwood Generating Station.**

John Stevens spoke in support of the Highwood Generating Plant. The following spoke in opposition to it: **Cheryl Reichert, Pamela Morris, Larry Resentes, Charles Christianson, Calanthe Wilson-Pant, Ron Mathson, Andree Deligdisch, Butch Hankins, Paul Stevens, Kathy Zippen-Guisman, Charles Boccock; John Hubbard, and Merton Freyholtz.**

General topics of opposition to the Highwood Generating Station included:

- Presentation of a petition with over 1000 signatures opposing the plant.
- Need for renewable energy sources such as wind and solar power.
- Impact of mercury, carbon dioxide and methylmercury on the community's health.
- Need for a complete feasibility study to justify expenditures to date on the plant.
- Concern Electric City Power Inc., is losing money while at the same time incurring debt to SME.
- Environmental impact the plant will have on the planet.
- The economics of the proposed plant.

Res. 9634.

Pamela Morris also commented on Resolution 9634 stating she did not support limiting public comment at public meetings.

Street Conditions.

Clayton M. Braden expressed concern over roadway conditions at 10th Avenue South and 26th Street and on Central Avenue West and 27th Street.

Adjourn.

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of January 16, 2007, adjourned at 9:22 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk