

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, Police Chief, Fire Chief, Acting Public Works Director, Acting Library Director, Assistant to the City Clerk and the City Clerk.

**NEIGHBORHOOD COUNCILS**

**West Bank Urban  
Renewal Project.**

**1A. Robert Mehlhoff, 407 9<sup>th</sup> Street Northwest,** Neighborhood Council 2 Chairman, reiterated the Council's support for the West Bank Urban Renewal Project, specifically outlining what will happen with West Bank Park. However, he continued that any language that would eliminate or transfer land would be opposed. Neighborhood Council 2 would like to be included in the discussions regarding the West Bank Urban Renewal Project.

**Pete's Auto; Skate  
Park Graffiti and  
The Home Place.**

**1B. Rick Kavulla, 725 49<sup>th</sup> Street South,** vice chairman of Neighborhood Council 4, had three items of concern from their council. A telephone ringing from Pete's Auto Sales has precipitated complaints from residents, visits from the Police Department and signed petitions – none of which have curtailed the problem. Mr. Kavulla requested suggestions from staff to help their Neighborhood Council put an end to this problem.

Secondly, Mr. Kavulla stated that some students from Great Falls High School attended their last meeting and suggested the Skate Park Graffiti be repainted as part of a possible Eagle Scout project. The students suggested the painting on the First Avenue North underpass has not been vandalized, so perhaps it would work for the Skate Park.

Finally, Mr. Kavulla expressed concern for safety on The Home Place property, located at 4300 2<sup>nd</sup> Avenue North. The property is currently County property with absentee owners.

**PUBLIC HEARINGS**

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

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

Chief Prosecutor Kory Larsen reported that after months of hard work by the members of the Blue Ribbon Committee for Animal Control Issues, the

**until January 16, 2007.**

City was presented with a proposed amended animal ordinance. It was very broad in its scope but presented a community consensus for changes to the animal ordinance. After a staff review, some small tweaks were made and the proposed ordinance was presented to the Commission at a work session earlier this year. The Commission decided that some areas required public comment and input, and a public comment period was set. Many community members made comments by email, by letter, by phone, and in person. The amended ordinance covers all of the issues and provides a more appropriate fine structure for animal control.

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

**Andree Deligdisch, 3016 Central Avenue**, commended the writers of the proposed Ordinance for their thoroughness in trying to consider all possibilities. She did inquire whether the City Judge would set the fine and suggested the fine should have a range of fees to consider first or second time offenders. She added dogs were easier to control by voice command than cats. Ultimately, the only way to keep a cat indoors was to not let it outside at all.

**Myron Chase, 2001 3<sup>rd</sup> Avenue North**, suggested the fees for licensing should be set before the Ordinance was passed so the taxpayers knew what they were.

**Willie Thornley, 516 5<sup>th</sup> Street Southwest**, stated he liked the Ordinance the way it was presented. Mr. Thornley stated it takes a responsible pet owner and training to keep a pet controlled while being off the leash. He further explained his dog, Waffles, was a therapy dog and he would not want to lose the ability to be off leash.

**Dawn Fairbanks, 715 25<sup>th</sup> Street North**, expressed her support for the Ordinance.

**Cindy James, 332 Fox Drive**, commended the Blue Ribbon Committee for their hard work on the Ordinance. Ms. James stated she was familiar with a lot of ordinances from other states, and thought the components of this Ordinance were pet-friendly and encouraged positive pet ownership and responsibility.

**Wendy Mann, 120 12<sup>th</sup> Street South**, stated she was in favor with the majority of the sections in this Ordinance. She did recommend the “disposal fee” terminology be altered to read “disposal/surrender fee.”

**Mike Lewis, 23 2<sup>nd</sup> Avenue South**, supported the Ordinance but noted problems with putting animal feces in dumpsters.

**Mary Jolley, 1910 2<sup>nd</sup> Avenue North**, inquired as to whether the registration fee was a one-time fee and if a registered animal found off-premises without a registration tag would be considered unregistered.

**Mike Enk, 6432 43<sup>rd</sup> Street Southwest**, asked whether the registration fee differed from the one paid at the veterinarian's office.

Mayor Stebbins called for opponents to the Ordinance.

**Jeff Monheim, 3709 20<sup>th</sup> Avenue South**, questioned the Ordinance's reptile portion, especially related to snakes over six feet long.

**May Chase, 2001 3<sup>rd</sup> Avenue North**, did not think elderly people and children should have to pay registration fees for their pets.

**Doug Forbes, 707 45<sup>th</sup> Street North**, inquired whether there was in place a right to an appeal decisions regarding the Multiple Animal Permit.

**Unknown Female Speaker**, stated she thought this seemed like a money-making deal and it is unfair to elderly people and young children. In her opinion, indoor cats should not have to be registered. It is almost impossible to fence a cat.

**Gary Reiger, 1112 6<sup>th</sup> Avenue Northwest**, inquired as to the compliance rate with licensing dogs now. Mr. Reiger did not expect there would be a very high compliance rate licensing cats either.

**Mike Enk, 6432 43<sup>rd</sup> Street Southwest**, requested clarification of the existing leash law, especially with regard to the 10 foot limit and off-leash limits. He thought it was extreme to allow no exceptions.

**Lynn Russell, 2115 1<sup>st</sup> Avenue South**, stated she was a breeder of rare cats and this Ordinance would reward pet stores and denied breed development. Specific issues Ms. Russell noted were: definitions of hybrid animal and contagious diseases, the tag and collar requirement for cats, whether the County participates in paying disposal fees, and whether she would qualify for a Multiple Animal Permit.

**Wendy Mann, 120 12<sup>th</sup> Street South**, stated she would like to relocate her family here, but may have to reconsider given the Ordinance wording for multiple pet ownership. Ms. Mann expressed interest in attending future work sessions and shared that cats wearing tags and collars were more at risk for strangulation.

**May Chase, 2001 3<sup>rd</sup> Avenue North**, questioned whether indoor cats needed to be licensed and registered.

**Robert Mehloff, 407 9<sup>th</sup> Street Northwest**, cautioned the Commission to be careful with assessing too much for surrender fees. The fee should not discourage taking in abandoned pets.

**Craig Heine, 3212 1<sup>st</sup> Avenue North**, expressed his concern with the multi-animal permit revenue. He was willing to comply with the Ordinance but, admittedly, has always had too many pets.

**John Hubbard, 615 7<sup>th</sup> Avenue South**, noted that cats were nature's mousetrap and without cats roaming, we may see more cases of hantavirus from larger populations of mice.

**Lynn Russell, 2115 1<sup>st</sup> Avenue South**, stated she had concerns with the fee structure. She also asked for information on the City's use of the revenues from Licensing.

There being no one further to address the City Commission, 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 table Ordinance 2933 until the January 16, 2007, meeting.**

Motion carried 5-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

**Res. 9631, Intent to Vacate unused segments of 11<sup>th</sup> Avenue North and 10<sup>th</sup> Street North. Adopted and public hearing set for January 16, 2007.**

**3. RESOLUTION 9631, INTENT TO VACATE UNUSED SEGMENTS OF 11<sup>th</sup> AVENUE NORTH AND 10<sup>th</sup> STREET NORTH, GF ORIGINAL TOWNSITE, BLOCK 33 AND GF 1<sup>st</sup> ADDITION BLOCKS 30 AND 34.**

Planning Director Ben Rangel reported that Resolution 9631 sets a public hearing for January 16, 2007, to consider vacating unused segments of 11<sup>th</sup> Avenue North and 10<sup>th</sup> Street North rights-of-way in the vicinity of 1025 11<sup>th</sup> Street North. Mr. Rangel explained that an amended plat has been prepared to aggregate the proposed vacated rights-of-way and the abutting portions of Block 33, Great Falls Original Townsite and Blocks 30 and 34, First Addition to Great Falls Townsite into one parcel.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Resolution 9631 and set the public hearing for January 16, 2007.**

Motion carried 5-0.

**Consent Agenda.  
Approved as  
printed.**

**CONSENT AGENDA**

4. Minutes, December 19, 2006, Commission meeting.
5. Total Expenditures of \$1,304,316 for the period of December 15-27, 2006, to include claims over \$5000, in the amount of \$1,157,779.
6. Contracts list.
7. Lien Release list.
8. Set public hearing for January 16, 2007, on Resolution 9630, Building, Plumbing, Electrical and Mechanical Permit Fee Increase.
9. Approve co-sponsorship of the Great Falls Regional Science and Engineering Fair on February 10, 2007, by contributing up to \$500 for use of the Convention Center.
10. Adopt Medical District Master Plan.
11. Final Payment to Dave Kuglin Construction in the amount of \$4,244.92 and the State Miscellaneous Tax Division in the amount of \$42.88 for the Sludge Basin Rehabilitation Project, Phases Two and Three. (OF 1332.5)
12. Final Payment to Dave Kuglin Construction in the amount of \$2,970 and the State Miscellaneous Tax Division in the amount of \$30 for the Malmstrom Air Force Base Outfall Sewer Upsizing & Replacement. (OF 1425.5)
13. Award contract for the 2<sup>nd</sup> Avenue S.W. Storm Drain Extension to Advanced Earthworks in the amount of \$59,484. (OF 1449)
14. Award contract for the Water Plant Flocculation Basin and Rapid Mix Improvements to Dick Anderson Construction, Inc. in the amount of \$1,098,000. (OF 1332.2)

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

Motion carried 5-0.

**BOARDS & COMMISSIONS**

**Great Falls  
Planning Advisory  
Board. Appointed  
Terry Hilgendorf  
to fill remainder of  
three-year term  
through December  
31, 2007.**

**15. APPOINTMENT TO THE GREAT FALLS PLANNING  
ADVISORY BOARD.**

Mark Gunderson resigned his position on the Board; therefore, it was necessary to appoint a replacement.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Hinz, that the City Commission appoint to the Great Falls Planning Advisory Board Terry Hilgendorf for the remainder of a three-year term through December 31, 2007.**

Motion carried 5-0.

**City Manager  
Report on  
Highwood  
Generating Station  
and Electric City  
Power.**

**17. CITY MANAGER REPORT.**

City Manager John Lawton and consultants Ray Walters, Jeff Chaffee, and Tim Gregori presented some additional information in response to the questions posed at the previous meetings.

**Responses to City  
Manager’s Energy  
Presentation.**

**19. PETITIONS AND COMMUNICATIONS**

**19A. Mary Jolley, 1910 2<sup>nd</sup> Avenue North,** inquired about citizen’s right-to-vote in regard to the municipal power and the geographical layout of the plant.

**19B. Unidentified Person,** stated he was a member of the co-op and thanked the community for their participation with the Highwood Generating Station.

**19C. John Hubbard,** made a brief statement opposing the Highwood Generating Station.

**Adjourn.**

**ADJOURNMENT**

There being no further business to come before the Commission, the regular meeting of January 2, 2007, adjourned at 9:45 p.m.

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Mayor Dona R. Stebbins

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Cindy Kenczka, Assistant to City Clerk