

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, Diane Jovick-Kuntz, Sandy Hinz and John Rosenbaum. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Planning, Public Works, Park and Recreation, Fiscal Services, Police Chief, Fire Chief, Acting Library Director, and the City Clerk.

PROCLAMATIONS: Appreciation and Commendation for Audrey Finlayson, Children's Book Week and National Adoption Month.

NEIGHBORHOOD COUNCILS

- Property Clean-up at 4000 US Highway 2E (T20N R4E Section 9).**
1. **George Littlefield**, NC 4, reported on the clean-up of property located 4000 US Highway 2E formerly occupied by the Home Place.

PUBLIC HEARINGS

- Res. 9618 and Ord. 2953, minor plat, annexation and zoning for East Ridge Add. Phase 4. Adopted.**
- 2A. **RESOLUTION 9618, MINOR PLAT AND ANNEXATION OF EAST RIDGE ADDITION PHASE 4.**
 - 2B. **ORDINANCE 2953, ESTABLISH CITY ZONING UPON THE MINOR PLAT OF EAST RIDGE ADDITION PHASE 4.**

Planning Director Ben Rangel reported that adoption of Resolution 9618 would annex two lots and a 210 foot extension of 12th Avenue South between 45th and 47th Streets South and adoption of Ordinance 2953 would assign a zoning classification of PUD planned unit development district to it. He added that the applicant intended to construct 6 duplex structures containing a total of 12 dwelling units to be sold separately as part of a condominium association.

At the conclusion of a combined public hearing held September 12, 2006, the Planning Board/Zoning Commission passed motions recommending the City Commission annex the property and approve the minor plat and the accompanying Findings of Fact subject to the applicant paying all fees, signing the annexation agreement, correcting any errors or omissions on the minor plat and Public Works approving the final engineering documents. The second recommendation was for the City Commission to assign the requested zoning to the property.

Mayor Stebbins declared the public hearing open. No one appeared to

speaking in support of or opposition to Resolution 9618 or Ordinance 2953. Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9618 and approve the Minor Plat, Findings of Fact and Annexation Agreement all related to East Ridge Addition Phase 4.

Motion carried 5-0.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 2953.

Motion carried 5-0.

Res. 9619 and Ord. 2954, annexation and zoning for West Ridge Add., Phase IV. Adopted.

3A. RESOLUTION 9619, ANNEXATION OF WEST RIDGE ADDITION PHASE IV.

3B. ORDINANCE 2954, ESTABLISH CITY ZONING UPON WEST RIDGE ADDITION, PHASE IV.

Planning Director Ben Rangel reported that upon adoption Resolution 9619 would annex 37 single-family residential lots located northwest of the Skyline Education Center. Ordinance 2954 would assign a zoning classification of R-3 single-family high density district to it.

He added that on June 13, 2006, the Zoning Commission unanimously recommended the City Commission assign the requested zoning and on September 19, 2006, the Planning Board passed a motion recommending the Commission approve the annexation request.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9619 or Ordinance 2954. Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9619 and approve the final plat and annexation agreement all related to West Ridge Addition, Phase IV.

Motion carried 5-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2954.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

**Ord. 2956
Repealing OCCGF
8.07 Pertaining to
Smoking in Places
of Employment and
Public Places
Except for
Designated Smoking
Area Distance
Requirements.
Adopted.**

4. ORDINANCE 2956, REPEALING OCCGF 8.07 PERTAINING TO SMOKING IN PLACES OF EMPLOYMENT AND PUBLIC PLACES EXCEPT FOR DESIGNATED SMOKING AREA DISTANCE REQUIREMENTS.

City Clerk Peggy Bourne reported that in 1999, the City Commission adopted an ordinance prohibiting smoking in public places and places of employment. In 2005, a state law went into effect superseding the City ordinance. Upon adoption, Ordinance 2956 would repeal most of the City ordinance and businesses and places of employment would then follow the guidelines set forth in state law. One section Staff proposed the City retain was requiring designated smoking areas be placed at least 20 feet from a public building.

Commissioner Rosenbaum moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Ordinance 2956.

Motion carried 5-0.

**Res. 9621, Remodel
Tax Benefits, GF
Townsite B454, L13
and B477 L12.
Adopted.**

5. RESOLUTION 9621, REMODEL TAX BENEFITS APPLICATION, GF TOWNSITE BLOCK 454 LOT 13 AND BLOCK 477 LOT 12.

The property owner, Dan Brown, DBA DMW, Inc., is renovating the building at 501 2nd Street South. The building permit was issued September 1, 2006, and the project was completed in October 2006, at an estimated cost of \$800,000. The applicant requested approval of the tax benefits and Resolution 9621 was prepared to comply with the requirement that all applications be approved by resolution. Approval of the application will allow for the taxes generated from the expansion to be added to the existing taxes over a five-year period in increments of 20 percent each year.

Commissioner Beecher moved, seconded by Commission Jovick-Kuntz, that the City Commission adopt Resolution 9621.

Commissioner Hinz asked Community Development Director Mike Rattray to explain the tax benefit program. He explained that MCA 15-24-1501 provides the local government the option of giving tax benefits

for the remodeling, reconstruction or expansion of existing buildings or structures. The law governing this incentive was amended in 1985 requiring that each local governing body (City and County) approve the tax benefit on a project by project basis. If one local government body approves the tax benefit and the other does not, the benefit will apply only to the mills levied by the approving governing body. In addition, tax benefits do not include any relief from state-wide levies and local government approval of the application must be by resolution.

The City Commission's policy regarding the approval of remodeling tax benefits was established in the late 1980's and requires that all property taxes on all property owned by the applicant be current and that the applicant be allowed to take advantage of only one City program available to provide local development assistance. In applying this policy to the application received from the current owner, staff found that all property taxes were current and that the applicant had not received City financial assistance from other programs.

Mayor Stebbins called for the vote. Motion carried 5-0.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA

6. Minutes, October 17, 2006, Commission meeting.
7. Total Expenditures of \$1,757,264 for the period of October 6 through November 1, 2006, to include claims over \$5000, in the amount of \$1,437,824.
8. Contracts List.
9. Lien Release list.
10. Set public hearing for November 21, 2006, on Resolution 9620, a Cost Recovery at 509 15th Street North and legally described as GF 3rd Addition, Block 176, Lot 14.
11. Set public hearing for November 21, 2006, on Resolution 9622, Cost Recovery at 609 36th Avenue NE and legally described as NRT 6th Addition, Block 6, Lot 10.
12. Power Purchase Agreement Addendum #2 with Southern Montana Electric Generation and Transmission Cooperative. (OF 1472.1)
13. Change Order 2 and final payment to Forde Nursery in the amount of \$7,828.87 and the State Miscellaneous Tax Division in the amount of \$79.08 for the Bloomingdale Park Landscaping CTEP Project. (OF 1306.6)
14. Reject proposal for Golf Course Management.
15. Contract for the 2006 CDBG Natatorium Pool Liner to Thompson Pools in the amount of \$63,859. (OF 1393.1)
16. Contract for the 10th Avenue North Storm Drain to Falls Construction Company in the amount of \$137,892. (OF 1440)
17. Change Order 1 to Boland Construction, Inc., in the amount of \$95,765 for the 1st and 2nd Avenues North Water Main Replacement. (OF 1450)

18. Bid award for three new dual-control hydrostatic drive street sweepers to Western Plains Machinery of Great Falls in the amount of \$347,125 including trade-ins.
19. Award bid for six new 2007 police pursuit vehicles to City Motor Company of Great Falls in the amount of \$118,507.
20. Final payment to Geranios Enterprises, Inc. in the amount of \$3,699.13 and the State Miscellaneous Tax Division in the amount of \$37.37 for the 13th Street North Water Main Replacement. (OF 1446).
21. Professional Services Agreement with Stelling Engineers, Inc. for engineering services for the West Bank Storm Drain Outfall Improvements in the amount of \$25,149. (OF 1482)
22. Consultant Services Agreement in the amount of \$19,250 with Community Development Services of Montana to prepare an Urban Renewal Plan for the Great Falls West Bank Revitalization Program.
23. Deed of City-owned land described as Lot 4A, Block 1 of the Amended Plat of Lots 1 and 4, Block 1, NRT 7th Addition to Animal Foundation.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

24. This item was pulled from the agenda.

CITY COMMISSION

Elections.

- 27A. Commissioner Hinz congratulated all those who won elections yesterday.

Pool Bonds.

- 27B. Mayor Stebbins thanked the voters for approving the swimming pool bonds.

PETITIONS AND COMMUNICATIONS

West Bank Urban Renewal Area and zoning for Highwood Generating Station.

28. **Stuart Lewin**, 615 3rd Avenue North, stated he supported the West Bank Urban Renewal project and encouraged the City Commission to involve the public as often as possible. He also asked if the Commission formally voted to support the zone change request the County Commission was considering for the Highwood Generating Station. Mayor Stebbins stated that the Commission had not voted on that issue.

Adjourn

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of November 8, adjourned at 7:32 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk