

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, Library, Park and Recreation and Fiscal Services, Police Chief, Fire Chief, and the City Clerk.

NEIGHBORHOOD COUNCILS**Swearing-in
NC 5**

1. Mayor Stebbins presided over the Swearing-in of Carole Gilmour, Neighborhood Council 5.
- 2A. **Ken Robinson**, Neighborhood Council 6, congratulated Public Works Director Jim Rearden for working toward resolving the low water pressure issues in the Sunnyside area.
- 2B. **George Littlefield**, Neighborhood Council 4, thanked Public Works employee Jerry McKinley for his quick, efficient and professional response to school zone safety issues.
- 2C. **Tawny Newt**, Neighborhood Council 5, explained that Council 5 changed its meeting location to the GF Clinic Specialty Center Conference Room. Their next meeting will be held on October 23, 2006.

PUBLIC HEARINGS

Res. 9610, Res. 9611 and Ord. 2952 annexation and zoning of T20N, R4E, Sec. 16, Mark 1B and portion of 10th Avenue South between 40th Street and 47th Street South. Adopted.

- 3A. **RESOLUTION 9610, ANNEXATION OF A PORTION OF T20N R4E SECTION 16, MARK 1B.**
- 3B. **RESOLUTION 9611, ANNEXATION OF A PORTION OF T20N R4E SECTION 16, MARK 1B (10th AVENUE SOUTH BETWEEN 40th STREET SOUTH AND 47th STREET SOUTH).**
- 3C. **ORDINANCE 2952, ZONING FOR T20N R4E SECTION 16, MARK 1B AND A PORTION OF 10th AVENUE SOUTH BETWEEN 40th STREET SOUTH AND 47th STREET SOUTH.**

Planning Director Mr. Rangel stated that the parcel proposed to be annexed was being used as a sales lot for Travel Time RV. The annexation also involves a portion of 10th Avenue South between 40th Street South and 47th Street South. The unincorporated enclave and right-of-way were wholly surrounded by the incorporated area of the City.

Mr. Rangel explained that Resolution 9610 annexes a portion of T20N R4E Section 16, Mark 1B; Resolution 9611 annexes a portion of 10th Avenue South between 40th Street South and 47th Street South and Ordinance 2952 assigns a zoning classification of C-2 General commercial district to subject properties.

On August 8, 2006, the Planning Board/Zoning Commission unanimously passed a motion recommending the City Commission annex the property and the Zoning Commission unanimously passed a motion recommending the City Commission assign the requested zoning classification to it.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9610, Resolution 9611 or Ordinance 2952. Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission adopt Resolution 9610.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9611.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioners Hinz and Jovick-Kuntz, that the City Commission adopt Ordinance 2952.

Motion carried 5-0.

Res. 9593 and Ord. 2947 annexation and zoning of a portion of Highland Park Add., B28, L7-12, and the south ½ of a vacated alley. Adopted.

4A. RESOLUTION 9593, ANNEXATION HIGHLAND PARK ADDITION, BLOCK 28, LOTS 7-12 AND THE SOUTH ½ OF A VACATED ALLEY.

4B. ORDINANCE 2947, ZONING HIGHLAND PARK ADDITION, BLOCK 28, LOTS 7-12 AND THE SOUTH ½ OF A VACATED ALLEY.

Planning Director Ben Rangel reported that Resolution 9593 annexes property at 2026 13th Street South and legally described as Highland Park Addition, Block 28, Lots 7-12 and the south ½ of a vacated alley in that vicinity. Ordinance 2947 assigns a zoning classification of I-1 Light industrial zoning district to the property. Additionally, the Commission was asked to approve an Amended Plat which consolidated half of the vacated alley and Lots 7-12, Block 28, Highland Park Addition into a single lot.

At the conclusion of a combined public hearing held July 11, 2006, the Planning Board unanimously recommended the City Commission approve the Amended Plat, the accompanying Findings of Fact and the annexation subject to the applicant signing an annexation agreement; paying all fees; correcting any errors or omissions on the amended plat; and final engineering documents meet Public Works expectations.

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

Mayor Stebbins declared the public hearing open. No one spoke in support of or opposition to Resolution 9593 or Ordinance 2947. Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9593 and approve the Amended Plat, Findings of Fact and Annexation Agreement all related to the South ½ of Vacated Alley and Lots 7 – 12, Block 28, Highland Park Addition.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioner Jovick-Kuntz that the City Commission adopt Ordinance 2947.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Ord. 2953, Zoning East Ridge Addition Phase 4. Accepted on first reading and public hearing set for November 8, 2006.

5. ORDINANCE 2953, ESTABLISH CITY ZONING UPON THE MINOR PLAT OF EAST RIDGE ADDITION PHASE 4.

Planning Director Ben Rangel reported that Ordinance 2953 assigns a zoning classification of PUD planned unit development district, to East Ridge Addition Phase 4, upon annexation to the City. He added that the subject property is located on the fringe of the City, which has been attracting development. The subdivision is a natural projection of urban growth. It is bordered on two sides by the incorporated area of the City, which has the capability and capacity to provide necessary public related services. The Minor Plat consists of two lots and a 210 foot extension of 12th Avenue South between 45th and 47th Streets South. The applicant intends to construct 6 duplex structures containing a total of 12 dwelling

units to be sold separately as part of a condominium association.

On September 12, 2006, the Zoning Commission unanimously recommended that upon annexation, the City Commission assign the requested zoning.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission accept Ordinance 2953 on first reading and set a public hearing for November 8, 2006, to consider adoption of Ordinance 2953.

Motion carried 5-0.

Ord. 2954, Zoning West Ridge Addition, Phase IV. Accepted on first reading and public hearing set for November 8, 2006.

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

Planning Director Ben Rangel reported that Ordinance 2954 assigns a zoning classification of R-3 Single-family high density district to West Ridge Addition, Phase IV upon annexation. The proposed development consists of 37 single-family residential lots located immediately northwest of Skyline Education Center. He added that on July 11, 2006, the City Commission conditionally approved the preliminary plat of the subdivision and that on June 13, 2006, the Zoning Commission unanimously recommended the City Commission assign a zoning classification of R-3 Single-family high density district.

Commissioner Beecher moved, seconded by Commissioner Hinz, that the City Commission accept Ordinance 2954 on first reading and set a public hearing for November 8, 2006, to consider adoption of Ordinance 2954.

Motion carried 5-0.

Ord. 2955, Amending OCCGF 12.14 Pertaining to Temporary Street Closures. Accepted on first reading and set the public hearing for October 17, 2006.

7. ORDINANCE 2955, AMENDING OCCGF 12.14 PERTAINING TO TEMPORARY STREET CLOSURES.

City Clerk Peggy Bourne reported that Ordinance 2955 amends the Official Codes of the City of Great Falls (OCCGF) 12.14 pertaining to parades and street closures. Ordinance 2955 requires parade and event organizers requesting a parade permit or a temporary street closure permit submit documentation as to how they notified property/business owners and tenants along the parade route or adjacent to the street closure. Because the permit applications must be submitted at least 2 weeks prior the event, those individuals or businesses affected by the street closure will have at least that amount of time to become aware of the event.

Commissioner Beecher moved, seconded by Commissioner Hinz, that

the City Commission accept Ordinance 2955 on first reading and set the public hearing and final reading for October 17, 2006, at 7:00 pm.

Motion carried 5-0.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA

- 8.** Minutes, September 19, 2006, Commission Meeting
- 9.** Total Expenditures of \$1,356,657 for the period of September 14-27, 2006, to include claims over \$5,000 in the amount of \$1,152,453.
- 10.** Contracts List.
- 11.** Lien Release List.
- 12.** Set public hearing for October 17, 2006, on Resolution 9614, fees for street closure, park rental and special events with alcoholic beverage permits.
- 13.** Bid award for two new tandem axle trucks with new side load refuse packers to I-State Truck Center of Great Falls in the amount of \$344,100 including a receiving-hopper cover option and accepting trade-in offers.
- 14.** Bid award for the MAFB Outfall Sewer Upsizing and Replacement (Outfall to 57th Street) to Dave Kuglin Construction in the amount of \$186,490. (O.F. 1425.5)
- 15.** Contract Award for Engineering Services for the Sunnyside Water Pressure Improvements – Piping project to Thomas, Dean & Hoskins, Inc. in an amount not to exceed \$30,000. (O.F. 1494.1)
- 16.** Professional Services Contract to TischlerBise, Inc. evaluating annual fiscal impacts as they relate to the construction and operation of the Highwood Generating Station in the amount of \$45,000. (O.F. 1472)
- 17.** Professional Services Contract with TischlerBise, Inc. evaluating water and sewer utility facility capacity fees as they relate to the construction and operation of the Highwood Generating Station and other future developments in and around Great Falls in the amount of \$35,500. (O.F. 1472)
- 18.** Amended Plat of Lot 3, Block 1, TRF Addition and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.

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

Commissioner Hinz asked the City Manager to explain items 16 and 17. Mr. Lawton responded stating that Items 16 and 17 were two consulting contracts with a firm that specializes in developing systems that affect growth in a community. He explained that there was more than one big project on the horizon that would affect the growth of the City and now it was time to assess the cost impact of that growth and who should pay for it. He added that the first contract (Item 16) was triggered by the

Highwood Generating Station because the County requested a delayed annexation of the property. Mr. Lawton explained that before Staff could consider that request, the cost of the plant on the City's capital facilities would need to be analyzed. He said that SME will reimburse the full amount of the contract which was \$45,000. The purpose of the second contract (Item 17) was to determine growth impacts on water and sewer extensions in order for Staff to know what costs developers should pay for the impact the development would have on the City's utilities.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

Highwood Generating Station EIS process.

22A. Mike Whitsoe, 2612 1st Avenue South, explained that the Department of Agriculture and the Montana Department of Environmental Quality (DEQ) provided a wrong address to send comments to on the draft Environmental Impact Statement. He asked the Commission to request an extension to the comment period in order to provide more time for people who received their comments back because of the wrong address. Mr. Lawton explained that this process was not related to the City Commission and suggested that Mr. Whitsoe contact the Department of Agriculture or the DEQ with that request.

Driving with cell phones.

Mr. Whitsoe also asked the Commission to consider an ordinance banning the use of cell phones when people are driving. Chief Grove suggested that this law would be stronger if it was a state law rather than an ordinance and encouraged Mr. Whitsoe to contact his legislator.

Street issue.

22B. Clay Braden, 2708 4th Avenue NW, expressed concern about 26th Street near 10th Avenue South. He explained that it should be widened slightly and leveled out.

Adjourn

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of October 3, 2006, adjourned at 7:45 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk