

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

PROCLAMATIONS: Mayor Stebbins read a Proclamation acknowledging Constitution Week and National Good Neighbor Day.

NEIGHBORHOOD COUNCILS

- Good Neighbor Day**
1. Karen Grove, Neighborhood Council 8, invited the community to the Good Neighbor Day festivities to be held at Heren Park on Sunday, September 24.

PUBLIC HEARINGS

- Res. 9599, Levy and Assess Special Lighting Districts. Adopted.**
2. **RESOLUTION 9599, TO LEVY AND ASSESS SPECIAL MAINTENANCE LIGHTING DISTRICTS (SLD).**

Fiscal Services Director Coleen Balzarini reported on Items 2 – 5, stating that in order to legally provide necessary assessment support, State law requires the City Commission to conduct a public hearing and adopt authorizing assessment resolutions.

She added that Resolution 9599 authorizes staff to assess properties within Special Lighting Districts that were created prior to the current year. She explained that Resolutions 9601, 9602 and 9603 authorize staff to assess properties within Special Lighting Districts that were created this past year.

Mayor Stebbins declared the public hearing open for Resolution 9599, 9601, 9602 and 9603. No one appeared to speak in support of or opposition to the Resolutions. Mayor Stebbins declared the public hearings closed and asked for direction from the Commission.

Commissioner Rosenbaum moved, seconded by Commissioners Jovick-Kuntz and Beecher, that the City Commission adopt Resolution 9599.

Motion carried 4-0.

Res. 9601, Levy and Assess Special Lighting District 1302. Adopted.

3. **RESOLUTION 9601, TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING 1302 ALONG BEARGRASS DRIVE WITHIN MEADOWLARK ADDITION 3.**

Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Resolution 9601.

Motion carried 4-0.

Res. 9602, Levy and Assess Special Lighting District 1304. Adopted.

4. **RESOLUTION 9602, TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING 1304 WITHIN EAGLES CROSSING PHASE 1.**

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9602.

Motion carried 4-0.

Res. 9603, Levy and Assess Special Lighting District 1306. Adopted.

5. **RESOLUTION 9603, TO LEVY SPECIAL ASSESSMENTS ON PROPERTIES WITHIN SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED LIGHTING 1306 ALONG CAMAS DRIVE WITHIN MEADOWLARK ADDITION 4.**

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9603.

Motion carried 4-0.

Res. 9607, To Levy and Assess Properties for Unpaid Utility Services. Adopted.

6. **RESOLUTION 9607, TO LEVY AND ASSESS PROPERTIES FOR UNPAID UTILITY SERVICES.**

Fiscal Services Director Coleen Balzarini reported that properties which had utility services provided to them prior to June 30, 2006, but remain unpaid, were subject to the City's right to lien the property for the amount owed. The Fiscal Services Department reviews the accounts quarterly and notifies property owners of the delinquent charges and the right to lien the property.

Ms. Balzarini added that the legal owners of the properties were last notified in a letter dated July 6, 2006, that unless these charges were paid within 30 days, the amount owed would be levied as a tax against the property. These properties also receive the normal monthly billing

statements. A final letter stating the date and time of the public hearing was sent September 7, 2006, and a notice was published September 8 and 15, 2006, in the *Great Falls Tribune*.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of Resolution 9607. **John Hubbard** requested clarification on this issue. There being no one further to address the Commission, Mayor Stebbins declared the public hearing closed.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9607.

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Res. 9615, Intent to Vacate an Unused Portion of 26th Street South Right-of-way. Amended Plat of T20N R4E Sec. 18, Parcel Mark 6B. Adopted.

7. RESOLUTION 9615, INTENT TO VACATE AN UNUSED PORTION OF 26th STREET SOUTH RIGHT-OF-WAY.

Planning Director Ben Rangel reported that adoption of Resolution 9615 would set a public hearing for October 17, 2006, to consider vacating an unused segment of 26th Street South right-of-way abutting Parcel Mark 6B, Section 18, T20N, R4E. The Amended Plat of Lot 1A, Block 1, Forest Glen South will add the vacated right-of-way and Parcel Mark 6B to the abutting Lot 1A, Block 1. The applicant desired to combine subject right-of-way and Parcel Mark 6B into Lot 1A, Block 1 of Forest Glen South. The vacated right-of-way would leave a full 80-foot right-of-way for the s-curve of 26th Street South which was reconstructed to a four lane road.

Commissioner Rosenbaum moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9615.

Motion carried 4-0.

Ord. 2951, Amending OCCGF 10.48.220 and 230 Pertaining to Bus and Passenger Loading Zones. Adopted.

8. ORDINANCE 2951, AMENDING OCCGF 10.48.220 AND 230 PERTAINING TO BUS AND PASSENGER LOADING ZONES.

Acting City Attorney Kory Larsen reported that several school bus drivers registered complaints about passenger vehicles parking in school bus zones adjacent to several area schools. The bus drivers raised safety and traffic flow concerns as a result of passenger cars parking in bus zones. After initially discussing the matter with the Great Falls Police

Department, the issue was turned over to the School Traffic Safety Committee which held several meetings to discuss the issue and propose these changes.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2951.

Motion carried 4-0.

Res. 9617, Assessing Business Improvement District. Adopted.

9. RESOLUTION 9617, ASSESSING BUSINESS IMPROVEMENT DISTRICT.

Fiscal Services Director Coleen Balzarini reported that the Business Improvement District was created in 1989 and recreated in 1999 by petition of the property owners in the district. Assessments are levied upon properties in the district to fund the Business Improvement District (B.I.D.). As in prior years, the assessment requested for 2006/2007 is based on the assessment formula approved with the creation of the district, which will generate \$159,816.53 in assessment revenue.

Mrs. Balzarini added that the Business Improvement District provided the goal and financial information the City Commission requested.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9617.

Motion carried 3-0-1 (Commissioner Jovick-Kuntz abstaining).

Consent Agenda. Approved as printed.

CONSENT AGENDA

10. Minutes, September 5, 2006, Commission meeting.
11. Total expenditures of \$1,085,489 for the period of August 23 through September 12, 2006, to include claims over \$5,000 in the amount of \$862,024.
12. Contracts list.
13. Lien Release list.
14. Gift from the Walter and Lucille Elliott Revocable Trust and transfer to the Great Falls Public Library.
15. Contract for the 2006 CDBG Sidewalk Replacement to Lapke Construction LLC in the amount of \$110,827. (OF 1453.2)
16. Contract for the 2006 CDBG Handicap Ramp Replacement to Lapke Construction LLC in the amount of \$104,120. (OF 1453.1)
17. Contract for the Medical Technology Park, Lot 3, Utility and Street Improvements to Shumaker Trucking and Excavating Contractors, Inc. in the amount of \$403,635 and to United Materials of Great Falls, Inc. in the amount of \$460,850. (OF 1417.1)
18. Bid Award for the roof replacement on Fire Station 4 to Statewide Contracting Inc. in the amount of \$64,000. (OF 1493)

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

Motion carried 4-0.

PETITIONS AND COMMUNICATIONS

Street Assessment

22A. John Hubbard expressed concern about the increase in the Street Maintenance District, especially for those on a fixed income.

Library donation, sidewalks and the Fire Department.

22B. Mike Whitsoe asked what the dollar amount was on the Elliot Trust. Library Director Jim Heckel explained that the gift was an in-kind donation of stocks and the value was not known at this time. Mr. Whitsoe also expressed concern that the sidewalk contractor from last year’s CDBG sidewalk program did not do a good job with sodding needed areas. Finally, Mr. Whitsoe congratulated the Fire Department for a job well done on the B&B Rental fire.

Adjourn

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of September 19, 2006, adjourned at 7:38 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk