

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, Acting City Attorney, Directors of Community Development, Planning, Public Works, Park and Recreation, Library and Fiscal Services, Police Chief, Fire Chief, and the City Clerk.

PROCLAMATIONS: Mayor Stebbins presented Patty Rearden with a proclamation of appreciation and commendation for her contributions to the City as Interim Park and Recreation Director. Mayor Stebbins also read a proclamation regarding National Night Out.

NEIGHBORHOOD COUNCILS

- Ice cream social and swimming pools.**
1. **Karen Grove**, Neighborhood Council 8, reported on the ice cream social hosted by Neighborhood Council 8 last week. She added that during the social many people were talking about the pool issue and requested the City Commission repair the neighborhood pools.

PUBLIC HEARINGS

- Res. 9584, Nuisance Abatement, NRT 6th Add., B6, L10. Adopted.**
2. **RESOLUTION 9584, NUISANCE ABATEMENT, NRT 6th ADDITION, BLOCK 6, LOT 10.**

Community Development Director Mike Rattray reported that as prescribed by the Official Codes of the City of Great Falls 8.49.040, a "Notice of Hearing" was posted on the property July 21, 2006, and published in the Tribune on July 22, 2006. Adoption of Resolution 9584 would allow staff to hire a contractor and abate the ongoing nuisance located at 609 36th Ave NE and legally described as NRT 6th Addition, Block 6, Lot 10.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of Resolution 9584. **Nick Jeffries**, 812 54th Street South, explained that he has been cleaning up the property and the only items left were two vehicles. He added that the Police Department tagged the vehicles and they would be removed within the week. He reported that the notices sent to the property owner had been intercepted by the owner's son. **Mr. Scripundon** (the owner) explained to the City Commission that he did not speak English very well and that he was working to clean up the property. There being no one further to address the City Commission, Mayor Stebbins declared the public hearing closed.

Mike Rattray asked the Commission to adopt Resolution 9584 just in case the property was not completely cleaned up. Adoption of the resolution would allow staff to take care of the problem.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9584.

Mayor Stebbins thanked Mr. Jeffries for helping out a neighbor.

Motion carried 5-0.

**Res. 9590 Vacate
10th Alley South GF
11th Add., B806,
Adopted.**

3. RESOLUTION 9590, VACATE 10th ALLEY SOUTH WITHIN GF 11th ADDITION, BLOCK 806, (WALGREEN'S PHARMACY).

Planning Director Ben Rangel reported that the Great Falls Planning Board recommended the City Commission vacate the subject alley and approve the Amended Plat of Block 806, Eleventh Addition to Great Falls as well as the Findings of Fact.

He explained that vacation of the alley was necessary to accommodate the proposed Walgreen's Pharmacy. An amended plat provides utility and public access easements through Block 806 to replace the functions the alley currently provides.

Mayor Stebbins declared the public hearing open. No one appeared to speak in opposition to Resolution 9590. **Shane Winters**, (Hawkins Companies) encouraged the City Commission to adopt the Resolution. There being no one further to address the City Commission, Mayor Stebbins declared the public hearing closed.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission approve Resolution 9590.

Motion carried 5-0.

**Res. 9571 Create
SLD 1306.
Adopted.**

4. RESOLUTION 9571, CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED RESIDENTIAL LIGHTING 1306.

Fiscal Services Director Coleen Balzarini reported that Montana Code Annotated (MCA) 7-12-4301 and 7-12-4333 authorizes the City Commission to create lighting districts and to assess the cost of installing and/or maintaining the district to the owners of the property embraced within the boundaries of such district.

Staff received a signed petition from the developer of Meadowlark

Addition 4 requesting street lights be installed. The petition was for the installation of nine (9) 100 watt HPS street lighting units on 17 foot fiberglass poles with underground wiring. During the 15 day protest period, the City did not receive any protests.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9571. Mayor Stebbins declared the public hearing closed.

Commissioner Beecher moved, seconded by Commissioners Hinz and Rosenbaum, that the City Commission adopt Resolution 9571.

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Res. 9572, MBOI Loan Agreement for Installation of Nine (9) City-Owned Residential Street Lights Along Camas Drive. Adopted.

5. RESOLUTION 9572, MONTANA BOARD OF INVESTMENTS LOAN AGREEMENT FOR INSTALLATION OF NINE (9) CITY-OWNED RESIDENTIAL STREET LIGHTS ALONG CAMAS DRIVE.

Coleen Balzarini, Fiscal Services Director, reported that the Montana Board of Investments agreed to loan the City up to \$23,000 for the installation costs of nine (9) city-owned residential street lights as specified in SLD 1306. The loan has a variable interest rate that changes annually and the current interest rate was 4.75 percent. The term of the loan would be 10 years.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9572.

Motion carried 5-0.

Res. 9594, Res. 9595 and Ord. 2948 intent to annex and establish zoning for East Great Falls Retail Center Addition. Adopted Resolutions 9594 and 9595 and accepted Ord. 2948 on first reading setting a public

6A. RESOLUTION 9594, ANNEXATION OF PORTIONS OF 10th AVENUE SOUTH, U.S. HIGHWAY 87/89, AND 50th AND 52nd STREET SOUTH.

6B. RESOLUTION 9595, ANNEXATION OF THE EAST GREAT FALLS RETAIL CENTER ADDITION LOCATED ALONG THE SOUTH SIDE OF 10th AVENUE SOUTH AT 57th STREET.

6C. ORDINANCE 2948, ZONING FOR EAST GREAT FALLS RETAIL CENTER ADDITION.

Planning Director Ben Rangel reported that adoption of Resolution 9594 would set a public hearing for September 5, 2006, to consider annexation

**hearing for
September 5, 2006.**

of portions of 10th Avenue South, U.S. Highway 87/89, and 50th and 52nd Streets South. Adoption of Resolution 9595 would set a public hearing for September 5, 2006, to consider annexation of the East Great Falls Retail Center Addition located along the south side of 10th Avenue South at 57th Street and Ordinance 2948 would assign the zoning classification of C-2 General commercial district to the property upon annexation.

Mr. Rangel also reported that on February 28, 2006, the Planning Board/Zoning Commission conducted a joint public hearing on subdividing, annexing, establishing City zoning and granting a conditional use permit for a large format retail store (associated with the East Great Falls Retail Center Addition). At the conclusion of the hearing, the motion to approve the annexation, zoning and a conditional use failed on a tie vote. This request before the City Commission did not include the conditional use, only the annexation and zoning. Should a large format retail store want to locate on the property, the City Commission would take separate action on the conditional use.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9594.

Motion carried 5-0.

Commissioner Beecher moved, seconded by Commissioners Hinz and Rosenbaum that the City Commission adopt Resolution 9595.

Motion carried 5-0.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission accept Ordinance 2948 on first reading and set a public hearing for September 5, 2006, to consider adoption of Ordinance 2948.

Motion carried 5-0.

Res. 9591, Intent to Vacate a Segment of 20th Street South within Vo-Tech Addition. Adopted setting a public hearing set for August 15, 2006.

7. RESOLUTION 9591, INTENT TO VACATE A SEGMENT OF 20th STREET SOUTH WITHIN VO-TECH ADDITION.

Planning Director Ben Rangel reported that adoption of Resolution 9591 sets a public hearing for August 15, 2006, to consider vacating the unimproved segments of 20th Street South, 19th Alley South, 19th Avenue South, 20th Alley South and 20th Avenue South which were dedicated on the original plat of Vo-Tech Addition.

The MSU-College of Technology proposes the rights-of-way be rededicated in the alignment shown on an Amended Plat. This realignment provides for an s-curve in the roadway to realign 20th Street

South along the east boundary of Prospect Park Addition. Additionally, the lots contained in the area will be aggregated from 7 lots to 4 lots.

Mr. Rangel added that the City Planning Board considered the vacation and amended plat during a meeting held July 11, 2006, and ultimately passed a motion recommending the City Commission vacate the rights-of-way and approve the amended plat.

Commissioner Rosenbaum moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9591.

Motion carried 5-0.

Ord. 2945, Zoning for South Park Addition, Phase 1. Accepted on first reading and set public hearing for September 5, 2006.

8. ORDINANCE 2945, ESTABLISHES ZONING UPON SOUTH PARK ADDITION, PHASE 1.

Planning Director Ben Rangel reported that upon adoption Ordinance 2945 assigns a zoning classification of R-3 Single-family high density district, to South Park Addition Phase 1. The proposed development consists of 18 single-family residential lots located between Grande Vista Park and Flood Road.

Mr. Rangel also reported that the City-County Planning Board at the conclusion of a public hearing held September 14, 2004, recommended the subdivision be assigned a zoning classification of "A" Residence Use, "B" Area District on the preliminary plat. With the adoption of the Unified Land Development Code the classification of the area would be "R-3" Single-family high density.

Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission accept Ordinance 2945 on first reading and set public hearing for September 5, 2006.

Motion carried 5-0.

Ord. 2946, Amending OCCGF 13.06 Pertaining to Water Service Lines. Accepted on first reading and second reading set for August 15, 2006.

9. ORDINANCE 2946, AMENDING OCCGF 13.06 PERTAINING TO WATER SERVICE LINES.

Public Works Director Jim Rearden reported that Ordinance 2946 would amend section H of OCCGF 13.06 to allow service lines to residences to be either copper or HDPE (high density polyethylene) pipe. He explained that due to the price of copper, service lines were expensive and allowing HDPE pipe would save homeowners money. He added that the connection to the water main at the curb stop and under all public rights-of-way, as well as the first 10 feet from the meter still had to be copper.

Commissioner Jovick-Kuntz moved, seconded by Commissioners

Rosenbaum and Beecher, that the City Commission accept Ordinance 2946 on first reading and set second reading for August 15, 2006.

Motion carried 5-0.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA.

- 10.** Minutes, July 18, 2006, Commission meeting.
- 11.** Total expenditures of \$1,261,528 for the period of July 1-20, 2006, to include claims over \$5,000 in the amount of \$1,041,932.
- 12.** Contracts list.
- 13.** Approve an exception request to the Housing Loan Program Policies for the maximum loan to owner of the property at 316 Central Avenue, Dunn-Brown Building.
- 14.** Approve Change Order 1 to Forde Nursery in the amount of \$6,077 for the Bloomingdale Park Landscaping (OF 1306.6)
- 14A.** Set public hearing for August 15, 2006, on Resolution 9598, levy and assess the street maintenance district.

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

Motion carried 5-0.

BOARDS AND COMMISSIONS

**Great Falls Housing
Authority.
Appointed
McKittrick and
reappointed
Anderson and
McLean.**

15. APPOINTMENT, GREAT FALLS HOUSING AUTHORITY BOARD.

Curtis Thompson was appointed to the Housing Authority Board for a five-year term in 2001. His term expired on June 30, 2006. Mr. Thompson was not eligible for another term; therefore, it was necessary to appoint one member to fill his vacancy. Albert Anderson and Grace McLean serve as tenant members. They were both eligible and interested in serving another two-year term.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission appoint Tim McKittrick to the Great Falls Housing Authority Board for a five-year term through May 31, 2011; and reappoint Albert Anderson and Grace McLean as tenant members for two-year terms through May 31, 2008.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

**Lighting districts,
Environmental
Impact Statement
hearing, and the Pet
and Doll Parade.**

19. **Mike Whitsoe**, 510 5th Street South, asked several questions regarding lighting districts and maintenance of the lights within the districts. He also thanked those who attended the Environmental Impact Statement hearing and reminded everyone that there will be another hearing in Havre. Finally, he thanked the Park and Recreation staff for organizing another successful Pet and Doll Parade.

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of August 1, 2006, adjourned at 7:38 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk