

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PRESENTATION OF THE COLORS: Boy Scout Troop 26

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, Public Works, Library, Fiscal Services, Acting Police Chief, Fire Chief, Acting Director Park and Recreation, and the City Clerk.

PROCLAMATION: Martin Luther King Day Celebration

PUBLIC HEARINGS

NRT 7 B1 L4 (portion). Land exchange with Sletten Ranch. Approved.

- 1. LAND EXCHANGE, NORTH RIVERVIEW TERRACE, SECTION 7, BLOCK 1, LOT 4.
- 1A. AMENDED PLAT, NORTH RIVERVIEW TERRACE, SECTION 7, BLOCK 1, LOTS 1 AND 4.

Amended Plat, NRT 7, B1, L1&4. Approved.

City Manager John Lawton reported that the City was assisting the Animal Foundation of Great Falls in identifying a location for its proposed animal shelter facility. A suitable site located near the existing animal control facility was identified. Because the lot did not have straight lot lines, staff proposed the land exchange and the amended plat. The land exchange involves trading 55 feet of property on the west side of Lot 4, of the Amended Plat of Block 1, North Riverview Terrace—Section 7 for approximately 55 feet of land of the east side which was owned by Robert Sletten. The amended plat adjusts the particular boundaries accordingly. Language in a Memorandum of Understanding between the City and the Animal Foundation of Great Falls, previously approved by the City Commission, outlined these two items.

Mayor Stebbins declared the public hearing open. No one spoke in opposition to or in support of the proposed land exchange and amended plat. Mayor Stebbins closed the public hearing.

Commissioner Beecher moved, seconded by Commissioners Hinz and Jovick-Kuntz, that the City Commission approve the land exchange with Robert Sletten and authorize the Mayor to sign the deed.

Motion carried 5-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Hinz and Beecher that the Commission approve the amended plat of Lot 1 and Lot 4, of Block 1, North Riverview Terrace—Section 7.

Motion carried 5-0.

NEW BUSINESS

ORDINANCES AND RESOLUTIONS

**Ord. 2926,
Amending OCCGF
15.30.51 pertaining
to medical gas
requirements.
Accepted on first
reading and set
public hearing for
January 17, 2006.**

**2. ORDINANCE 2926, AMENDING OCCGF 15.30.51
PERTAINING TO MEDICAL GAS REQUIREMENTS.**

Community Development Director Mike Rattray reported that State law requires certified jurisdictions to adopt the same code editions as those adopted by the State. The City complies with this requirement through administrative action. The City adopted the 2003 Uniform Plumbing Code which references the current edition of the NFPA 99C Gas and Vacuum Systems. However, the City code book states that the City uses the 1999 edition of the NFPA 99C Gas and Vacuum Systems. Since the code development cycle is three years. Substituting the word "current" in place of the edition year in the municipal ordinance will eliminate taking the commission's time to change a date every three years.

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission accept Ordinance 2926 on first reading and set the public hearing for 7:00 p.m., January 17, 2006.

Motion carried 5-0.

**Ord. 2927, City
zoning for Castle
Pines Add., Phase
III. Accepted on
first reading and set
public hearing for
February 7, 2006.**

**3. ORDINANCE 2927, ESTABLISHING CITY ZONING UPON
CASTLE PINES ADDITION, PHASE III.**

Planning Director Ben Rangel reported that upon annexation Ordinance 2927 would assign a zoning classification of R-3 Single-family high density district, to Castle Pines Addition, Phase III. The proposed development consists of 16 single-family residential lots located in the vicinity of 27th Avenue South and 15th Street South.

In September 2005 the City Commission conditionally approved the preliminary plat of Castle Pines Phase III, a 16 lot single family residential subdivision located in the vicinity of 27th Avenue South and 15th Street South.

Neighborhood Housing Services (NHS) is working with NeighborWorks to acquire at least twelve and possibly all sixteen of the lots in the subdivision to accommodate construction of self-help homes. Funding arrangements stipulate the homes be constructed outside the city limits, but NHS indicated once the homes were completed and ready for occupancy, they could be annexed. Therefore, although the subdivision and annexation would be processed simultaneously, upon filing the final

plat, the lots will be sold, homes constructed and infrastructure installed, with annexation becoming effective when the homes are ready for occupancy.

The Planning Board, at the conclusion of a public hearing held August 9, 2005, unanimously recommended the City Commission assign a zoning classification as recommended.

Commissioner Hinz moved, seconded by Commissioners Rosenbaum and Beecher, that the City Commission accept Ordinance 2927 on first reading and set a public hearing for February 7, 2006, to consider adoption of Ordinance 2927.

Motion carried 5-0.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA

4. Minutes, December 20, 2005, Commission meeting.
5. Total expenditures of \$1,720,731 for the period of December 14-21, 2005, to include claims over \$5,000 in the amount of \$1,564,935.
6. Contracts list.
7. Set public hearing for January 17, 2006, on Resolution 9545, pertaining to golf fees.
8. Set public hearing for January 17, 2006, on Wadsworth Park Leases with Golden Triangle Sporting Dog Club, Great Falls Saddle Club, Electric City Archers and Missouri River Shooters.
9. Release of the North Park Property Management Agreement.
10. Labor agreement with the International Brotherhood of Electrical Workers, Local 233.

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

Motion carried 5-0

BOARDS AND COMMISSIONS

**Electric City
Power Inc., Board
of Directors.
Appointed
Pancich, Golie,
Gray, Willey and
Ryan.**

11. ELECTRIC CITY POWER INC., BOARD OF DIRECTORS APPOINTMENTS.

City Manager John Lawton reported that on November 1, 2005, the City Commission adopted Ordinance 2925 which restructured Electric City Power, Inc., as a non-profit organization. On November 15, 2005, the City Commission adopted Resolution 9529 - the Articles of Incorporation and Resolution 9530 - the Bylaws. The Bylaws state that the five member Board of Directors shall be appointed by the City

Commission and that the term of office will be six years, with initial appointments to be staggered terms.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum that the City Commission make the following appointments to the Electric City Power, Inc., Board of Directors: Bob Pancich for a two-year term through December 31, 2007; George Golie for a four-year term through December 31, 2009; Randy Gray for a four-year term through December 31, 2009; Dawn Willey for a six-year term through December 31, 2011; and William Ryan for a six-year term through December 31, 2011.

Motion carried 5-0.

NEIGHBORHOOD COUNCILS

Public Power Meetings scheduled.

13A. Robert Stubbs, Neighborhood Council 4, announced that the Neighborhood Councils will be hosting three public meetings pertaining to power issues. He stated that Mr. Lawton, Coleen Balzarini and Cheryl Patton would be the presenters and that the meetings will be held on January 5 at East Middle School; February 2 at West Elementary School and February 22 at Great Falls High. He thanked Neighborhood Council Coordinator Patty Cadwell for organizing the meetings and encouraged everyone to attend.

Weissman pollution.

13B. John "Angry" Hubbard, explained that he was going to repeat the presentation he made at the December 20, 2005, Commission meeting because the cameras were turned off and the public did not have a chance to hear it. Mayor Stebbins asked him what he thought the Commission could do regarding his issues with Mr. Weissman. Mr. Hubbard explained he wanted to explain how he lost his arm at this meeting that was televised because a lot of people ask him. Mayor Stebbins explained that this meeting was not the proper venue for that. Mr. Hubbard stated he wanted everyone in Great Falls to know how much pollution Mr. Weissman has caused.

CITY COMMISSION

Appointed Hinz as Mayor Pro-Tempore.

15. MAYOR PRO-TEMPORE

The City Charter states that the Mayor Pro Tempore shall serve in the absence of the elected Mayor. The City Commissioners shall elect from among themselves a Mayor Pro Tempore no later than one month after taking office. The Mayor Pro Tempore shall serve a term of two years or until the City Commission has held an election. Any vacancy in this

office shall be filled by a special election among the remaining City Commissioners. Any person elected to fill such a vacancy shall serve the remaining portion of the term which the vacancy occurred.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission appoint Commissioner Sandy Hinz to serve as Mayor Pro Tempore for a two year term effective immediately.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

Public comment at meetings.

17. Herb Soboczek, 121 11th Street NE, noticed that the Mayor did not ask for public comment on agenda items 2 – 11. Mayor Stebbins stated she thought she had asked for public comment and apologized explaining that this was the first time she presided at a Commission meeting.

Adjourn

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of January 3, 2006 adjourned at 7:32 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk