

Regular City Commission Meeting

Mayor Winters presiding

**CALL TO ORDER: 7:00 PM**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ROLL CALL:** City Commissioners present: Michael Winters, Bill Bronson, Fred Burow, Bob Jones and Mary Jolley. Also present were the City Manager; Deputy City Manager; Assistant Attorney; Directors of Fiscal Services, Library, Planning and Community Development; Public Works; Fire chief; Police Chief; and the City Clerk.

**PROCLAMATION:** Mayor Winters read a proclamation for Paris Gibson Month.

**\*\* Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of this meeting for additional detail. \*\***

### **NEIGHBORHOOD COUNCILS**

#### **1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Judy Tankink**, NC 4, reported that the council awarded its “Good Neighbor” award to Mr. Dave Snuggs, founder of [www.myneighborinneed.org](http://www.myneighborinneed.org). She requested the Neighborhood Council Coordinator arrange for speakers to discuss street maintenance and road funding specific to their district. Ms. Tankink also encouraged the City to purchase recording equipment for the Neighborhood Council Coordinator.

**Karen Grove**, NC 8, invited everyone to attend the council’s ice cream social on July 20, 2012, from 6 – 8 p.m. at Memorial Park. In light of celebrating the Fourth of July holiday, she expressed appreciation to members of the military, law enforcement, fire fighters, EMT’s, City and County Commissioners, and volunteers who make Great Falls a great City to live in.

### **BOARDS & COMMISSIONS**

#### **2. APPOINTMENTS, TOURISM BUSINESS IMPROVEMENT DISTRICT BOARD OF TRUSTEES.**

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission appoint Robert Dompier and Becky Amaral-Miller to the Tourism Business Improvement District Board of Trustees to four-year terms through June 30, 2016.**

Mayor Winters asked if there was any discussion amongst the Commissioners or inquiries from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

**APPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT BOARD OF TRUSTEES.**

3.

**Commissioner Bronson moved, seconded by Commissioners Jolley and Jones, that the City Commission appoint Sheila Rice to the Business Improvement District Board of Trustees to fill the remainder of a four-year term expiring June 30, 2015.**

Mayor Winters asked if there was any discussion amongst the Commissioners or inquires from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

**APPOINTMENTS TO THE LIBRARY BOARD.**

4.

**Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission reappoint Mary Brinkley for a five-year term through June 30, 2017, and appoint Dennis Torgerson to fill the remainder of a five-year term through June 30, 2013, to the Library Board.**

Mayor Winters asked if there was any discussion amongst the Commissioners or inquires from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

**MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

5.

**Joan Redeen, Business Improvement District, invited the community to attend a reception at 13 5<sup>th</sup> Street North on July 6, 2012, from 5-7 p.m., to honor the local artists who participated in the traffic signal box project.**

**PUBLIC HEARINGS**

6. **A PORTION OF STEEL ETC. PROPERTY LOCATED ON THE NORTHWEST CORNER OF RIVER DRIVE NORTH AND 52<sup>ND</sup> STREET NORTH.**

A. **RESOLUTION 9967 TO ANNEX SAID PROPERTY.**

B. **ORDINANCE 3089 TO ASSIGN CITY ZONING.**

Planning and Community Development Director Mike Haynes reported that this is a request to take final action on Resolution 9967 to annex ±0.43 acres of real property and Ordinance 3089 to assign an initial zoning of I-2 Heavy Industrial all pertaining to the Steel Etc. property at River Drive North and 52<sup>nd</sup> Street North. The entire ±15.9 acre Steel Etc. site is currently zoned I-2 Heavy Industrial. The developed portion of the site comprises ±4.7 acres and is in the City while the ±11.2 acre salvage yard remains in unincorporated Cascade County.

Steel Etc. proposes to construct a building that will house new equipment - a baler for cardboard, plastic and metal. The logical location for that building is straddling what is now the jurisdictional

boundary between the City and the County. In order to accommodate this development, City and County planners determined that Steel Etc. must annex enough property into the City to contain the new building and meet setbacks.

At a public hearing held on May 8, 2012, the Planning Advisory Board/Zoning Commission recommended that the City Commission annex the subject property into the City with an initial zoning of I-2.

Mayor Winters declared the public hearing open.

Speaking in opposition to Resolution 9967 and Ordinance 3089 were:

**Stuart Lewin**, 615 3<sup>rd</sup> Avenue North, commented that industrial development along Giant Springs degrades the area.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, expressed opposition to partial annexations and setting precedent.

Speaking in support of Resolution 9967 and Ordinance 3089 were:

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, commented that Great Falls has very little industrial zoning. Annexing property with high value creates tax revenue for the City. The property cannot be seen by people along the river at Giant Springs Park.

**Rudy Tankink**, 3620 9<sup>th</sup> Avenue North, commented that this company does a lot of good things for this community.

**Mike Witsoe**, 510 11<sup>th</sup> Street South, commented that the company is an asset and recycling is good for the community.

**Jerome Anderson**, 1006 Ulm Vaughn Road, commented this was a good move for this expanding company away from the downtown area to an industrial area.

**Cyndi Baker**, 500 Montana Avenue NW, commented that Steel Etc. is very generous in donating back to the community.

**Rep. Cleve Loney**, HD 25, commented he was in favor of opening Great Falls up for jobs and business.

There being no one else to address the Commission, Mayor Winters declared the public hearing closed.

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 9967 and approve the Annexation Agreement all pertaining to a portion of Steel Etc. property.**

Mayor Winters asked if there was any discussion amongst the Commissioners.

Commissioner Jolley commented that it is legal to annex a portion of property, so precedent is not being set. She further commented that she **grew up in Pittsburgh and** was surprised when she moved here ~~from Pittsburgh~~ that there wasn't more development along the river.

Motion carried 5-0.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3089.**

Mayor Winters asked if there was any discussion amongst the Commissioners.

Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

7.

**ORDINANCE 3090 AMENDING TITLE 10, CHAPTER 39 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS BY ADDING SECTION 110 TITLED "USE OF ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING A MOTORIZED VEHICLE OR A BICYCLE."**

City Manager Greg Doyon reported that, at the conclusion of the work session on May 15, 2012, the City Commission directed City Attorney Santoro to proceed with drafting an Ordinance for the purpose of regulating the use of hand-held electronic devices by persons operating a motorized vehicle or a bicycle within the City limits. At its meeting on June 19, 2012, the Commission accepted Ordinance 3090 on first reading with suggested amendments to the title and minor edits to make the language consistent throughout the Ordinance. Manager Doyon read Section 10.39.110 of the Official Code of the City of Great Falls.

Mayor Winters declared the public hearing open.

Speaking in opposition to Ordinance 3090 were:

**Jeremy Trebas**, 2509½ 7<sup>th</sup> Avenue North, questioned the enforceability of the ordinance to the degree it will affect the population to reduce crash risk. There is a better use of police resources.

**Dean Jardee**, 825 48<sup>th</sup> Street South, suggested enforcing rules dealing with distracted driving that are already in place. He doesn't see the need for an ordinance specific to cell phones. His on-line research data shows there is no difference in the amount of accidents between people talking face to face in a car versus the use of a cell phone. As a principal of Vaughn School, he utilizes the driving time to and from school to talk on his cell phone.

**Chuck Stein**, 4009 5<sup>th</sup> Avenue North, commented that cell phones are an instrumental part of his small delivery business. Additional costs, in addition to gas prices, have already put a burden on his business.

**Cyndi Baker**, 500 Montana Avenue NW, inquired about crash data. Police Chief Dave Bowen responded that no data has been captured because there hasn't been an ordinance in place. Citations

written for distracted driving falls under careless driving and that involves a wide range of activities. He noted that this ordinance is a non-criminal citation which carries no points against a driving record. A careless driving tickets carries three points on a driving record and is a criminal offense.

Ms. Baker expressed concern about businesses being hindered. She would prefer only a texting ban.

**Jerome Anderson**, 1006 Ulm Vaughn Road, commented that he is the data having sustained injuries in a wreck and is now limited in his abilities.

**Michael Frenick**, 1615 Oasis Court, Apt. 102, commented that more data is needed, and a \$50-\$100 fine is too much. He inquired about primary or secondary offense status. Mayor Winters provided Mr. Frenick the agenda report documents for his review.

**Lola Galloway**, owner of a lumber yard and hardware store located at 310 6<sup>th</sup> Street South, commented that banning use of hand-held GPS devices would hinder her business. She commented that citizens should be able to multitask in a car or they shouldn't have a driver's license. If a wreck is caused by use of a cell phone it is her opinion that the reckless driving citation should be issued with the higher fine. She also questioned enforceability and inquired about the cost for signage. Cell phones are a part of everyone's life and citizens need to learn how to use them safely.

**Turner Rosales**, 131 34<sup>th</sup> Street NW, commented that his research indicates no change in claims by insurance companies by cell phone bans. More insurance claims were submitted after texting bans were in place. He opined that enforceability isn't feasible in Montana. He suggested policy makers educate the public and provide incentives, rather than reprimanding citizens.

**Judy Tankink**, 3620 9<sup>th</sup> Avenue North, reviewed a handout she compiled and provided to the Commission regarding driving distractions. She noted that Montana has reckless driving and basic rule laws in place. Chief Bowen responded to several enforcement inquiries. Ms. Tankink inquired if law enforcement would be required to keep records/data on cell phone violations and accidents if this ordinance passed. Chief Bowen responded affirmatively.

**Win Benson**, 324 13<sup>th</sup> Avenue South, commented that texting is out of control. He doesn't like that the offense is non-criminal. Texting while driving is a conscious decision to put someone's life at risk.

**Maxima Cox**, 3516 13<sup>th</sup> Avenue South, commented that she receives cell phone calls for work to travel to patients for hospice care.

**Rudy Tankink**, 3620 9<sup>th</sup> Avenue North, suggested educating the public and collecting data if the ordinance is passed.

**Ashley Rodriguez**, 910 32<sup>nd</sup> Street South, noted that to use a hands-free device, you usually have to use your phone to find the number to initiate the call. She inquired if that was a valid excuse if pulled over. Chief Bowen responded that if a provision is allowed under the ordinance for hands-free devices and the person is utilizing it, the officer will use discretion and probably not issue a

citation.

**Jack Lien**, 3505 Jasper Road, provided research information from the Insurance Institute for Highway Safety indicating that banning hand-held phones or banning texting did not reduce crashes.

**Barbara Going**, 3001 6<sup>th</sup> Avenue North, commented that Bluetooth users are subjecting themselves to hearing damage. Using a Bluetooth is no less distracting than holding and talking on a cell phone. She expressed concern about the associated costs including more policemen.

**Ron Staley**, 801 3<sup>rd</sup> Avenue SW, commented that a cell phone ban could increase the number of vehicles with tinted windows.

**Beth Cooper**, 420 14<sup>th</sup> Street North, reviewed information from [www.negligentdriving.com](http://www.negligentdriving.com). She concluded that everyone drives distracted. Putting a law in place will not make a difference.

Written correspondence in opposition was received from **James Drew**, 1075 55<sup>th</sup> Avenue South, and **Carla Bell**, no address provided. Written correspondence was received from **Carol Place**, Owner/Operator of the Great Falls Historic Trolley, requesting an application exception process.

Speaking in support of Ordinance 3090 were:

**Mike Witsoe**, 510 11<sup>th</sup> Street South, encouraged passage of the ordinance for public safety.

**Duane McFadden**, 3245 18<sup>th</sup> Avenue South, described incidents and encouraged passage before there were wrecks to collect data on.

**Larry Vaccaro**, 817 Fox Drive, commented that distractions negatively affect public safety. If the ordinance is passed enough people will obey the law to improve public safety. He suggested the ban be publicized via the media and signage. The penalty should be as severe as reckless driving.

**Charles Brown**, city council member and driver's education instructor from Fairfield, commented that driving requires 100% attention. He reviewed statistics and dangers of distracted driving. He encouraged the Commission to adopt Ordinance 3090 to take some of the risks out of driving; human life is not worth talking on the phone.

**Johnathon Kenneway**, 117 Riverview B, commented that many vehicles are now equipped with hands-free capabilities. He further pointed out that passage of the ban will set precedent for future generations.

**Stuart Lewin**, 615 3<sup>rd</sup> Avenue North, commented that as an attorney talking on the phone all the time, he recognizes that he cannot talk and drive at the same time. When he is talking on the phone he visualizes who the person is he is talking to and is focused on who they are and what they are saying. When you do that you are not really aware of what is going on around you. He gets around town on a bicycle, is very aware of what is going on around him, and has to be a very defensive driver.

**Carol Place**, 108 Old Ulm Cascade Road, known as "Carol the Trolley Lady," requested an

exception to allow businesses to submit an application for consideration for cell phone use. She discussed a situation in which she uses a cell phone while driving the trolley. She noted that some regulations have unintended adverse consequences.

**Mike Frenick**, 1615 Oasis Court, Apt. 102, requested clarification regarding the range of the fine and was informed that discretion was up to the judge.

**Jerome Anderson**, 1006 Ulm Vaughn Road, urged passage for physical well being. The younger generation does not understand the ramifications that can occur.

There being no one else to address the Commission, Mayor Winters closed the public hearing.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission adopt Ordinance 3090.**

Mayor Winters asked if there was any discussion amongst the Commissioners.

Commissioner Burow noted there were good points made. He wasn't in favor of provisions for exceptions.

Commissioner Bronson commented that driving is not a right it is a privilege. Without some enforcement of obligations there is a public safety problem. It is realistic for this community acting through this Commission to impose some standards of conduct to craft better behavior and in the process save some lives. At some point there may need to be some other exceptions to create flexibility.

Commissioner Jolley commented that a majority of drivers are already using cell phones. There are no statistics that say the accidents have gone up. She would have agreed to a ban on texting, but she thinks most of the drivers in Great Falls are capable of talking on a phone and holding the phone at the same time. She doesn't see any difference between talking on a Bluetooth and/or holding a phone.

Commissioner Jones noted that he respects everyone's opinions. He concurred with Commissioners Bronson and Burow.

Mayor Winters commented that all points were well taken. He finds that the issue is the lack of consideration and courtesy rather than the use of cell phones.

There being no further discussion, Mayor Winters called for the vote.

Motion carried 4-1 (Commissioner Jolley dissenting).

**OLD BUSINESS**

**NEW BUSINESS**

8. **PROFESSIONAL SERVICES AGREEMENT, SOUTH GREAT FALLS STORM DRAINAGE IMPROVEMENTS (OF 1554).**

Public Works Director Jim Rearden reported that for consideration is a Professional Services contract with DOWL HKM to design the first phases of storm drain improvements to the Upper/Lower River Road area. DOWL HKM was awarded a contract in October of 2011 to study solutions to the drainage problems which have occurred over the years and particularly those that surfaced in the spring of 2011. This contract will authorize design solutions in four different areas which were identified as the improvements providing the most immediate impact. Further projects will be authorized as the area grows and develops. This contract is for \$288,300 and will be funded by the storm drain fund. Residents in the area contribute to the storm drain fund through a one-time annexation fee and ongoing monthly fees.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission approve the Agreement for Professional Services in the amount of \$288,300 to DOWL HKM for the South Great Falls Storm Drainage Improvements, and authorize the City Manager to execute the Agreement.**

Mayor Winters asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Winters asked if there were any inquiries from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, commented that the County should be sharing in these costs. Director Rearden and Commissioner Jolley explained that there are residents and property within the County that are part of this basin, but the properties affected by the drainage issues are City residents. Mr. Gessaman commented that the County could benefit from future development in the area being drained by this project and the governmental bodies should share the cost and responsibilities if necessary.

There being no one else to address the Commission, Mayor Winters called for the vote.

Motion carried 5-0.

**9. CONSTRUCTION CONTRACT, GRANDE VISTE PARK STORM DRAIN EXTENSIONS (OF 1542).**

Public Works Director Jim Rearden reported that approval of Item 9 will award a construction contract to United Materials for storm drain improvements in two areas of the Grande Vista neighborhood. Citizen complaints, primarily in the spring of 2011, prompted the completion of these projects to be accelerated. The first area of emphasis will provide storm drain extensions in and around Grande Vista Park to collect and transport runoff away from the area. The second area is phase 2 of a project on Delmar Drive to relieve residents of standing water in easement areas behind their homes. This contract is for \$297,432.50 and will be funded by the storm drain fund. Residents in the area contribute to the storm drain fund through a one-time annexation fee and ongoing monthly fees.

**Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission award a contract in the amount of \$297,432.50 to United Materials of Great Falls, Inc., for the Grande Vista Park Storm Drain Extensions, and authorize the City Manager to execute the construction contract documents.**

Mayor Winters asked if there was any discussion amongst the Commissioners or inquiries from the



public.

Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

10. **CONSTRUCTION CONTRACT, PUBLIC WORKS SANITATION AND STREET BUILDING ADDITION (OF 1455.5).**

Public Works Director Jim Rearden reported that approval of Item 10 will award a construction contract to Wadsworth Builders Company in the amount of \$561,900 for an addition to the Public Works Sanitation and Street Garages. The project is necessary to provide safe and sanitary working conditions for supervisors and workers. In 1995, offices, bathroom and shower facilities and a break room were added to the interior of the street garage. Since that time numerous attempts have been made to remedy air quality issues in the personnel occupied areas to no avail. The walls and ceilings in these areas are continually black with soot. A November 2011, safety and compliance audit report by the City Risk Manager recommended moving the offices and other personnel areas to an area where they are not exposed to the smoke and exhaust fumes from the trucks and equipment. On February 21, 2012, this body approved a contract with Gordon Whirry Architects for design services for this building addition. The final design physically separates the new facilities from the existing street garage to fully alleviate the air quality issues and provide more effective facilities for our workers. The existing facilities will be demolished providing more room for storage and staging of equipment for the street division. This contract is for \$561,900. Funds for these improvements have been set aside for five years in the Street Maintenance Building Fund and will provide approximately \$490,000. The balance will be a loan from the Equipment Revolving Schedule or from current operating budgets

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission award a contract in the amount of \$561,900 to Wadsworth Builders Company, Inc. for the Public Works Sanitation and Street Building Addition, and authorize the City Manager to execute the necessary documents.**

Mayor Winters asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Winters asked if there were any inquiries from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, requested and received clarification that the bathrooms meet the federal requirements.

There being no one else to address the Commission, Mayor Winters called for the vote.

Motion carried 5-0.

Mayor Winters called a recess at 9:29 p.m., and reconvened the meeting at 9:34 p.m.

**ORDINANCES/RESOLUTIONS**

11. **ORDINANCE 3092 TO ASSIGN CITY ZONING TO LOT 1AA, BLOCK 1, GREAT FALLS INDUSTRIAL PARK SECTION 2, OWNED BY SHUMAKER TRUCKING AND**

**EXCAVATING, GENERALLY LOCATED EAST OF US HIGHWAY 87 NORTH OF PREVIOUSLY VACATED 34<sup>TH</sup> AVENUE NORTHEAST ALIGNMENT.**

Planning and Community Development Director Mike Haynes reported this is a request to set a public hearing for August 7, 2012, to consider Ordinance 3092 that would assign initial zoning of I-2 (Heavy Industrial) to ±1.79 acres of property to be annexed into the City. Shumaker Trucking has significant landholdings on the east side of Old Havre Highway (US 87) north of 33<sup>rd</sup> Avenue NE including a truck wash bay that has City water and sewer services. The Shumaker Trucking lots are in unincorporated Cascade County and have I-2 (Heavy Industrial) zoning. Section 13.2.090 of City Code requires that property owners of parcels outside City limits receiving water and/or sewer service must consent to annexation as a condition of continuing to receive such services. The applicant does not want to annex a large amount of property into the City, preferring instead to create a lot that is the minimum necessary to meet City code. The proposed ±1.79 acre pie-shaped lot meets that minimum standard by containing the wash bay, private fire hydrant and utility service lines, providing legal and physical access to US 87, and accommodating reasonable on-site vehicular circulation.

At a public hearing held on June 12, 2012, the Planning Advisory Board/Zoning Commission recommended that the City Commission annex the subject property into the City with an initial zoning of I-2. The applicant has completed a boundary line adjustment in the County to create this lot, precluding the need for any action on subdivision by the City Commission.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission accept Ordinance 3092 on first reading and set a public hearing for August 7, 2012.**

Mayor Winters asked if there was any discussion amongst the Commissioners or inquiries from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

**CONSENT AGENDA**

12. Minutes, June 19, 2012, Commission meeting.
13. Total expenditures of \$2,603,145 for the period of June 12-27, 2012, to include claims over \$5,000, in the amount of \$2,326,015.
14. Contracts list.
15. Set public hearing for July 17, 2012, on Res. 9969, Intent to Increase Property Tax.
16. Set public hearing for July 17, 2012, on Res. 9970, Annual Budget Resolution.
17. Set public hearing for August 7, 2012, on Res.9972 to Levy and Assess Special Improvement General Boulevard Maintenance District No. 3570.
18. Set public hearing for August 7, 2012, on Res.9973 to Levy and Assess Special Improvement Portage Meadows Maintenance District No. 1195.

19. Set public hearing for August 7, 2012, on Res.9974 to Levy and Assess Street Maintenance District.
20. Approve contract in the amount of \$120,000 for the Downtown Access, Circulation and Streetscape Study to DESIGN WORKSHOP, Inc.
21. Approve Final Payment in the amount of \$35,800.77 to United Materials of Great Falls, Inc. and the State Miscellaneous Tax Division for the Northeast Regional Stormwater Pond Pumping Station and Drain.

**With the exception of Item 14I for additional discussion, Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission approve the Consent Agenda as submitted.**

With regard to Item 14I, Commissioner Jolley inquired and received clarification that one figure was for the 9<sup>th</sup> Street North project and the other figure was for the Sidewalk Replacement project. She was satisfied with the response and approval of the consent agenda inclusive of this item.

Mayor Winters asked if there was any further discussion amongst the Commissioners. Hearing none, Mayor Winters asked if there were any inquiries from the public.

**Cyndi Baker**, 500 Montana Avenue NW, inquired about Items 17-19 in light of the City Manager's budget recommendation of no increase in assessments. Commissioner Jolley responded that the assessments have to be reset every year. Per law the Commission conducts a hearing every year, but it doesn't imply that there will be an increase.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, inquired where the irrigation system would be installed with regard to Item 14E. Director Rearden reported that the irrigation service is for the storm water detention pond at 21<sup>st</sup> Avenue NE and 6<sup>th</sup> Street NE as part of the Northwest Great Falls Storm Drain improvement project.

With regard to Section 5 of Item 16, Mr. Gessaman commented that there will be a ruckus if the public sees charges to the contingency account.

Mr. Gessaman referred to Item 20 and commented that he thinks it is a waste of money and will aggravate more people causing them to avoid 1<sup>st</sup> and 2<sup>nd</sup> Avenues if they are converted from one-way streets to two-way streets. Commissioner Jolley commented that the study is worth it. She thinks if 1<sup>st</sup> and 2<sup>nd</sup> Avenues looked liked Central Avenue there would be more businesses on those streets.

Commissioner Jolley excused herself at 9:47 p.m.

**Mike Witsoe**, 510 11<sup>th</sup> Street South, referred to Item 20 and commented that the Great Falls Transit Authority does not know about this.

Commissioner Bronson made a point of order clarifying for Mr. Witsoe that Item 20 is for a study, nothing more; and that he spoke with the Transit District today.

Mr. Witsoe inquired where the money was coming from to pay for this study. Director Haynes

reported that \$100,000 is coming from federal transportation planning funds, and the portion of the study that relates to downtown parking will come from the parking fund. He also clarified that the Transit District has representatives on both Transportation Advisory Committee (TAC) and the Policy Coordinating Committee (PCC) who recommended approval of the expenditure of these monies for this study.

Mr. Witsoe referred to Item 12 wherein the minutes reflected that his inquiries regarding the co-gen would be answered at the next meeting. City Engineer Dave Dobbs reported that the cost of the co-gen was \$2,044,655.11 and it is making money.

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, commended the City for consideration of Item 20 as it looks comprehensively at car and people traffic and how it can support private sector investment downtown.

**Judy Tankink**, 3620 9<sup>th</sup> Avenue North, inquired about and received explanations from Director Kinzler regarding City employee health insurance benefits, premiums and costs to the City versus costs to employees.

Ms. Tankink also commented that \$120,000 for the Circulation and Streetscape Study (Item 20) is a lot of money regardless if the federal government is paying \$100,000. She further commented that the study sounds to her a lot like “complete streets.” Commissioner Burow responded that the language is similar to that in the Downtown Master Plan approved last year. Ms. Tankink concluded that Helena is having safety problems with bikes in the walking mall area and to keep that in mind.

There being no one else to address the Commission, Mayor Winters called for the vote.

Motion carried 4-0.

### PETITIONS AND COMMUNICATIONS

#### 22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters opened the meeting to Petitions and Communications.

- A. **Representative Cleve Loney**, HD 25, expressed appreciation to Great Falls Fire Rescue for the opportunity to attend the first Fire Rescue Xchange. It was one of the finest things he has ever participated in.
- B. **Brenda Fuller**, 1317 8<sup>th</sup> Avenue South, Apt. 1, also thanked Chief McCamley and the Fire Department staff for putting on the Fire Rescue Xchange.
- C. **Stuart Lewin**, 615 3<sup>rd</sup> Avenue North, expressed disappointment that the City backed the Great Falls Development Authority’s EDA grant application to develop Agri-Tech Park by Giant Springs without public input. Mr. Lewin understands Commissioner Bronson is on the Board of the Development Authority. Commissioner Bronson responded that, when matters that are going to come before the Commission come before the Great Falls Development Authority Board, he recuses himself. Mr. Lewin doesn’t think the Development Authority is acting in the best interests of this City. He suggested a proper vetting of where these industrial parks should be located. He also inquired why the grant wasn’t pursued for a rail spur at the North Park.

- D. **Cyndi Baker**, 500 Montana Avenue NW, was stunned that the Commission gave approval to sign the EDA grant proposal against the advice of City Attorney Jim Santoro. Commissioner Jones responded that the City Attorney was getting his point across that there were concerns for the Commission to be aware of.

Mayor Winters added that there was a consensus of the Commissioners for the City Manager to sign a letter.

Commissioner Burow noted that the City can't attract business without having an industrial site. Attorney Santoro was making the Commission aware of the pitfalls. There are no guarantees the grant request will be approved.

**Brett Doney**, Great Falls Development Authority, 300 Central Avenue, commented in response to Mr. Lewin that the Great Falls Development Authority (GFDA) has done everything it could to support the Great Bear Innovation Park and continues to do so. The GFDA looked for other sites due to lack of progress in getting lots ready at Great Bear. He reported that the Comfort Inn received SBA approval for a purchase by local residents Glenda and Joe Horner. All of the promises and obligations of the low interest loan participation with Entech are now complete. The GFDA submitted comments to the Bonneville Power Administration on behalf of the upgrade of the Coalstrip line.

**Carol Place**, 108 Old Ulm Cascade Road, commented that people are impressed with our community. She announced the upcoming free events – Fourth of July Parade, Alive@5, First Friday Art Walk and the Farmer's Market.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, noted that the City Manager recently wrote letters to three of ECP customers. A similar letter previously went to the Airport Authority Board. He provided a recent *Tribune* article stating that the Airport Authority Board voted to switch back to NorthWestern Energy. He suggested it was time for a different strategy. Mr. Gessaman also discussed a letter from Lund Law regarding the land around Malmstrom Air Force Base. He is in favor of private property rights. He concluded that there are no facts as to future potential of the runway or an air mission.

**Mike Witsoe**, 510 11<sup>th</sup> Street South, discussed recent ads in the *Tribune* for the sale of city-owned property. City Manager Doyon explained that the City received multiple inquiries from persons interested in utilizing the property. The City Code process was followed, including appraisal of the properties. Any proposals received will come before the Commission.

#### **CITY MANAGER**

### **23. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon announced that the budget transmitted to the Commission at the work session this evening will be on the City's website tomorrow. In response to comments made about the EDA grant, Manager Doyon noted that approval is required by the Commission if it is awarded.

#### **CITY COMMISSION**

24. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Burow announced that Great Falls resident Tina Bennett will be competing at the upcoming Mrs. United States Pageant in Las Vegas.

25. **COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Jones, to adjourn the regular meeting of July 3, 2012, at 10:31 p.m.**

Motion carried 4-0.

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Mayor Winters

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City Clerk

Minutes Approved: July 17, 2012