

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, Bob Jones, Bill Bronson, Fred Burow and Bob Kelly. Also present were the City Manager and Deputy City Manager; City Attorney; Directors of Fiscal Services, Planning and Community Development, and Public Works; Police Chief; and the City Clerk.

\*\* Mayor Winters announced that Item 10 is removed from the agenda at the request of the City Manager. \*\*

**PROCLAMATIONS:** Mayor Winters read proclamations for Red Ribbon Week and Week Without Violence.

**\*\* 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.**

There were no miscellaneous reports and announcements from representatives of Neighborhood Councils.

### **CONSENT AGENDA**

2. Minutes, October 1, 2013, Commission meeting.
3. Total expenditures of \$2,673,827 for the period of September 24 through October 9, 2013, to include claims over \$5,000, in the amount of \$2,403,355.
4. Contracts list.
5. Lien release list.
6. Set public hearing for November 5, 2013, to consider the lease of City-owned property at 1100 15<sup>th</sup> Street North.
7. Award bid for six new 2014 Chevrolet Impala police pursuit vehicles to City Motors of Great Falls in the amount of \$133,548.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda as submitted.**

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, requested an explanation for the payments to NorthWestern Energy for integrated network transmission service deposits listed in Item 3, the \$5,000 Report.

City Manager Greg Doyon responded that the deposit is a requirement to reserve the space in the transmission system in order for the City to transition its electric supply to a different provider.

Mr. Gessaman requested a breakdown of how these amounts of money were allocated to the various departments.

Fiscal Services Director Melissa Kinzler responded 41% - Lighting Districts, 21% - Water Fund, 19% Sewer Fund, and so on by allocation of the original use of electricity.

With regard to Item 2, the Minutes, Mr. Gessaman clarified comments he made on pages 172, 174 and 175.

Commissioner Burow inquired if bids have been received and opened with regard to Item 6. Public Works Director Jim Rearden responded that bids are due tomorrow by 3 pm.

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

Motion carried 5-0.

## **BOARDS & COMMISSIONS**

### **8. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from representatives of boards and commissions.

## **PUBLIC HEARINGS**

## **OLD BUSINESS**

### **9. FINAL PLAT AND DEVELOPMENT AGREEMENT FOR GREAT BEAR NO. 2 SUBDIVISION – PHASE II.**

Planning and Community Development Director Craig Raymond reported that on October 1<sup>st</sup> the City Commission conducted a public hearing to consider approval of the final plat of Great Bear No. 2 Subdivision - Phase II, located north of the ADF International project site and generally east of US Hwy 87. At that time, the City had not received the signed development agreement. The project applicant has since supplied the City with the proper development agreement as required. The final plat applies to ±48 acres of land and Phase II will comprise of heavy industrial lots accessed from the proposed Great Bear Avenue (Lot 4) which has been dedicated to the City as public rights-of-way in accordance with the conditions of approval during Phase I of this project.

The Planning Advisory Board recommended the City Commission approve the final plat for Great Bear No. 2 Subdivision - Phase II at a public hearing held on August 13, 2013.

Approval of the final plat as proposed is consistent with the intent and purpose of the City of Great Falls Growth Policy and also is consistent with the characteristics of zoning of I-2 (Heavy Industrial).

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission approve the Final Plat and Development Agreement pertaining to Great Bear No. 2 Subdivision – Phase II.**

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

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, commented that he has been in support of this project for years, and that he was surprised no members of the Great Falls Development Authority were in attendance at this or the October 1<sup>st</sup> meetings.

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

Motion carried 5-0.

10. **ADDENDUM 1 TO PROFESSIONAL SERVICES AGREEMENT – PASCOE ENERGY CONSULTING, LLC.**

**\*\* Removed from the agenda at the request of the City Manager. \*\***

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**PETITIONS AND COMMUNICATIONS**

11. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

A. **Ron Bennett**, 1801 16<sup>th</sup> Avenue South, expressed appreciation to this Commission for getting the City out of the power business. He thinks some of the comments in the *Tribune* imply that the current Commission is responsible for originally getting the City into the business. He suggested the names of the elected officials and City staff that were involved at the time Electric City Power began be published so the public knows who was involved and was responsible. He also suggested the City start a fund for people to contribute to help pay off the \$750,000 settlement payment. Mr. Bennett also commented that there were 2,000 less ballots returned to the election office in May than the previous November election.

B. **Kathy Gessaman**, 1006 36<sup>th</sup> Avenue NE, inquired if any letters of intent were received in response to the RFP for power and gas supply.

Manager Doyon responded that the consultant has been made aware of interest in bidding on both gas and electric. The City will know October 24<sup>th</sup> when final bids are due.

C. **John Hubbard**, 615 7<sup>th</sup> Avenue South, named City and County officials he felt were responsible for the City losing money in the power business. He also discussed extortion, treason, and the

federal government shut down.

- D. Alma Winberry**, 423 15th Street South, read a letter she authored opining that the recent Commission action approving a budget amendment relating to ECP deficits was not legal.
- E. Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, commented that the \$1.4 million dollars previously provided to Southern could have been used for remodeling the Animal Shelter. He also discussed advertising dates and deadlines for responses to the RFP for electric and gas proposals. Mr. Gessaman commented that during the hearings regarding rezoning the Westgate Mall property, Calumet Montana Refining told the Commission, City staff and the public there were no plans for expansion. He read an email from the Montana Department of Environmental Quality (DEQ) informing him that DEQ has received an application for modification to the air quality permits associated with the Calumet Montana Refining facility, and that the modification includes a proposed expansion consisting of an increase of the fuels capacity from 9,500 to 30,000 barrels per stream day, and the proposed expansion includes three new processing units.

### **CITY MANAGER**

#### **12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported that he attended the Montana League of Cities and Towns Conference in Helena last Wednesday through Friday. There was an interesting discussion about the oil and gas development being good for economies but very stressful for communities.

He also announced that the Eide Bailly forensic accounting audit of Southern is now available. The 300+ page report essentially says that it was bad business decisions that lead to the bankruptcy of Southern in terms of buying too much power and not having customers to sell it to.

Manager Doyon noted that the purchase of the block of transmission capacity is another step in bringing the City closer to exiting from Southern. He received a termination notice from Federal Express. That means the City is the last customer and, if all goes as planned, he will be able to review the proposals and make recommendations to the Commission to move to different gas and electricity suppliers effective November 1<sup>st</sup>.

With regard to pulling Item 10, Addendum 1 to the Professional Services Agreement with Pascoe Energy Consulting, Manager Doyon reported that Bill Pascoe will update the Commission with regard to amending his hours and rate at the special meeting on October 24, 2013.

In response to Ms. Winberry's comments, Manager Doyon noted that the transfers relating to Electric City Power were made at the scrutiny of the auditors. If there was anything illegal about that the auditors would not have allowed that to occur. There will have been five special emphasis audits on Electric City Power within 10 years.

Deputy City Manager Jennifer Reichelt announced that she and Mayor Winters participated in Graduation Matters Career Day at North Middle School today. She also thanked Ryan Smith of Nelson Architects and the staff at the Animal Shelter for all their time and energy put into the master planning process.

**CITY COMMISSION****13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

There were no miscellaneous reports and announcements from the City Commission.

**14. COMMISSION INITIATIVES.**

Commissioner Burow proposed that City staff review the sign code. Manager Doyon noted that new regulations were implemented some time ago and are being phased in. Some people are now required to make modifications. After discussion, Manager Doyon was directed to provide the history of the sign code and staff's recommendations for modifications, if any, for Commission consideration.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Bronson moved to adjourn the regular meeting of October 15, 2013, at 7:53 p.m.**

Motion carried 5-0.

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Mayor Michael J. Winters

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City Clerk Lisa Kunz

Minutes Approved: November 5, 2013