

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Cub Scout Pack 7

MOMENT OF SILENCE

ROLL CALL: City Commissioners present: Michael Winters, Bob Jones, Bill Bronson, Bob Kelly and Fred Burow. Also present were the Deputy City Manager; Interim City Attorney; Directors of Library, Park and Recreation, and Planning and Community Development; City Engineer; Police Chief; and the City Clerk.

PROCLAMATION: Mayor Winters read proclamations for Made In Montana Week and My Neighbor In Need Week.

**** 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 neighborhood council representatives.

CONSENT AGENDA

2. Minutes, March 5, 2013, Commission meeting.
3. Total expenditures of \$1,831,493 for the period of February 28 through March 13, 2013, to include claims over \$5,000, in the amount of \$1,568,225.
4. Contracts list.
5. Lien release list.
6. Grants list.
7. Approve Professional Services Contract Amendment No. 1 with NCI Engineering Co. for a fee not to exceed \$16,800 for the Lower West Hill Storm Drain. **OF 1649**
8. Award contract in the amount of \$1,098,575 to United Materials of Great Falls for the Central Avenue and 33rd Street North Water Main Replacement. **OF 1599.2**
9. Award contract in the amount of \$54,170 to United Materials of Great Falls for the Riverview School Bike/Ped Path. **OF 1596**

10. Approve final payment in the amount of \$3,152.16 to Intermountain Construction Services LLC, and \$31.84 to the State Miscellaneous Tax Division for the Lift Stations #10, #12 and #25 Can Replacement and Miscellaneous Improvements. **OF 1457.5**

Commissioner Bronson requested that Item 2, Minutes of the March 5, 2013, City Commission meeting, be withdrawn for separate discussion. Proposed amendments were previously circulated to the Commission and the draft minutes updated. On page 2013.44, Item 19A, the words “allegations of” were added before “stranded costs,” and the word “proposed” was added before “10-year electricity rate contract.” His understanding of the intention of Commissioner Jones’ remarks was that the ECP Board/Commission was dealing with an argument made by certain individuals that there are stranded costs. Also, at this point in time, the ECP Board/Commission has been forbidden to see the terms of the contract offered by the trustee. Commissioner Bronson explained that he wanted it clarified in the minutes so that there was no interpretation by somebody looking at the minutes that the ECP Board/Commission had consented to this argument of stranded costs and that this contract is fixed in stone.

Commissioner Burow moved, seconded by Commissioners Bronson and Jones, that the City Commission approve the Consent Agenda as presented.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

11. **MINOR SUBDIVISION WITH AMENDED PLAT OF LOT 1, BLOCK 2 OF THE AMENDED PLAT OF THE AMENDED PLAT OF LOT 1 AND LOT 4, BLOCK 2, GREAT FALLS MARKET PLACE SUBDIVISION.**

Planning and Community Development Director Mike Haynes reported that this is a request to consider a minor subdivision with amended plat to subdivide a ± 11.662 acre lot into two lots to accommodate the development of a new Panda Express restaurant. The applicant is proposing to subdivide the lot that now contains the Home Depot home improvement store and parking lot at the Marketplace.

Lot 1-B would contain ± 0.755 acres in the northeast corner of the existing site and would result in the loss of 94 parking spaces for Home Depot. The site would be accessed from Marketplace Drive and would be located behind the “On the Border” restaurant as viewed from 14th Street SW. The subdivision would accommodate the development of a 2,210 square-foot fast-food restaurant with limited seating (48 seats) and a drive-through. The site plan for the proposed restaurant provides adequate parking and a functional drive-through with good ingress and egress and internal vehicular circulation.

The remainder would be Lot 1-A comprising ± 10.907 acres containing the Home Depot and the remaining 455 parking spaces; that is still 20 spaces more than is required for the use.

The subdivision would allow development of an infill project in an area that has existing infrastructure and existing and complementary commercial development.

The Planning Advisory Board recommended that the City Commission approve the Amended Plat at its meeting on February 26, 2013.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission approve with conditions the Amended Plat of the subject property and accept the Findings of Fact.

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

Motion carried 5-0.

12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from representatives of Boards and Commissions.

PUBLIC HEARINGS

13. WESTSIDE COMMUNITY CENTER LEASE AGREEMENT.

Park and Recreation Director Marty Basta reported that this is a public hearing to consider the lease of the Westside Community Center to the Boys and Girls Club of Cascade County. The proposed lease is for five years, March 1, 2013, through February 28, 2018. The rental is \$1.00 for the term of the lease. The Boys and Girls Club of Cascade County is responsible for improvements, repairs and maintenance of the facility, with the exception of the boiler.

The Boys and Girls Club performs after school programs, educational and recreational opportunities for the youth in our community. Staff supports the efforts of the Boys and Girls Club and recommends approval of the lease.

Mayor Winters declared the public hearing open.

No one spoke in support of or in opposition to the Westside Community Center lease agreement.

Mayor Winters declared the public hearing closed.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission approve the Westside Community Center Lease Agreement.

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

Motion carried 5-0.

14. RESOLUTION 10006, AUTHORIZING RATES FOR MONTHLY METER PARKING PERMITS, INCREASING THE PARKING IMMOBILIZATION "BOOT" FEE, AND INCREASING THE FEE FOR SPECIAL USE ZONE METER BAGS.

Planning and Community Development Director Mike Haynes reported that this item is a request to conduct a public hearing and adopt Resolution 10006 to authorize new rates for monthly parking permits, boot fees and special use zone meter bags.

First, a rate of \$20 per month for a permit would allow unlimited parking at parking meters on certain downtown blocks. These changes would be expected to improve utilization of historically underutilized on-street parking on those City blocks. The \$20 rate is less than a monthly permit for the City's parking garages or surface lots, good value and convenient compared with routinely feeding the meter - \$20 equates to 40 hours at the standard meter rate of 50 cents per hour - and are not subject to the standard two- or three-hour time limits. The blocks on which these permits could be used would be at the discretion of the City, and would be expected to change over time as conditions change. The City would be responsible for advising permit holders of any changes to the blocks on which the permits may be used.

Second, the boot fee (or "immobilization fee") would be raised from \$25 to \$140; this is the actual cost, in staff time and overhead, to immobilize the vehicle, collect the outstanding fines and the boot fee and release the vehicle to the owner. Vehicles are only booted after at least 6 or 7 parking tickets are issued and remain unpaid past the due date.

Third, a rate of \$4 a day would be established for meter bags. Meter bags are installed at the request of business owners or contractors to reserve premium on-street parking spots for the convenience of contractors during construction of downtown projects. The \$4 fee equates to 8 hours at 50 cents per hour.

Mayor Winters declared the public hearing open.

No one spoke in support of or in opposition to Resolution 10006.

Mayor Winters declared the public hearing closed.

Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission adopt Resolution 10006.

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

Motion carried 5-0.

OLD BUSINESS

15. **CDBG AND HOME PROGRAM PROPOSED USE OF FUNDS AND PUBLIC HEARING DATE FOR HUD REQUIRED 2013/2014 ANNUAL ACTION PLAN.**

Planning and Community Development Director Mike Haynes reported that this item relates to the recommendations from the Community Development Council (the CDC) on the proposed use of funds for the 2013/2014 CDBG and HOME programs. The request is to take any public comment and set the final public hearing for April 16, 2013.

The CDC made its recommendations after hearing requests for funds from all eligible applicants for

the \$99,000 in anticipated public service grants and then meeting to prioritize funding allocations.

Consistent with the change in City Commission policy made after the needs hearing on January 2, 2013, public facility improvements and affordable housing were not open for grant submittals this year. Those proposed allocations were presented earlier in the process.

Consistent with Resolution 10007 adopted by City Commission on January 15, 2013, HOME funds are proposed for use by Accessible Space, Inc. for the 38-unit housing project at 1700 Division Road, if that project proceeds to construction. If not, it is proposed the funds will go to NeighborWorks for eligible projects.

Director Haynes requested that the City Commission accept the proposed use of 2013/2014 CDBG and HOME funds and set the public hearing for April 16, 2013.

Commissioner Jones moved, seconded by Commissioners Burow and Kelly, that the City Commission accept the proposed use of funds for the 2013/2014 Community Development Block Grant (CDBG) Program and HOME Program for inclusion in the Annual Action Plan, and set the public hearing for April 16, 2013.

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

Motion carried 5-0.

NEW BUSINESS

ORDINANCES/RESOLUTIONS

PETITIONS AND COMMUNICATIONS

16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements.

CITY MANAGER

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Deputy City Manager Jennifer Reichelt reported that City Manager Doyon is attending meetings in Washington, D.C. this week. She will be out of the office the remainder of the week. Police Chief Dave Bowen will be acting City Manager in their absence.

CITY COMMISSION

18. APPOINTMENT, GREAT FALLS DEVELOPMENT AUTHORITY BOARD OF DIRECTORS.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission appoint Commissioner Bob Kelly to replace Michael Winters as the other City representative on the Great Falls Development Authority Board of Directors.

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

Motion carried 5-0.

19. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Winters commented that allegations in the media recently were unfounded regarding private meetings held by the Commissioners.

Commissioner Jones recognized Director Haynes, his staff, and volunteers for their time and outstanding job putting together the CDBG and HOME programs.

20. **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 March 19, 2013, at 7:29 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: April 2, 2013