

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Boy Scout Troop 26

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.

PRESENTATION: Aaron Weissman introduced Mark Helgeson and Bryce Combs. Both young men were congratulated for recently completing projects that benefited the Park and Recreation Department and attaining Eagle Scout status.

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

NEIGHBORHOOD COUNCILS

1. SWEARING IN CEREMONY

Mayor Winters performed the swearing in of Lance Johnson, representative of Neighborhood Council 9.

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Eric Ray, NC 5, announced that Neighborhood Council 5 and the Mountain View PTA held its third annual meeting on January 16th to promulgate and build the Neighborhood Watch Program in the neighborhoods that comprise Council 5. Representatives of other Neighborhood Councils and principals from other elementary schools were invited to attend and encouraged to use their format to initiate efforts to develop Neighborhood Watch Programs in their respective areas. Mr. Ray also reported that the Council has raised \$35,000 to date to resurface the path in Russell Park. They are anticipating project completion by mid-May. Additionally, there are plans for path connectivity from 19th Street South (Grandview) to Russell Park. Mr. Ray further announced that a public meeting has been scheduled for February 27, 2014, at 7:00 pm, at Mountain View School, for representatives of the “big box store” proposed east of town and City staff to answer questions. The people on that side of town are excited about the possibility of an expansion that would bring retail to that end of town.

- * Mayor Winters read a letter authored by Commissioner Bronson to Col. Robert Stanley, Commander, 341st Missile Wing. The Commission agreed with the contents and signed the letter expressing the City Commission’s continuing support for Malmstrom Air Force Base and its mission during this difficult period.

CONSENT AGENDA

3. Minutes, January 7, 2014, Commission meeting.
4. Total expenditures of \$3,694,046 for the period of December 24, 2013, to include claims over \$5,000, in the amount of \$3,450,198.
5. Contracts list.
6. Lien release list.
7. Grants list.

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission accept 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

8. **APPOINTMENTS, GREAT FALLS PLANNING ADVISORY BOARD.**

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint Cheryl Patton and Heidi Pasek and appoint Anthony Houtz to three-year terms ending December 31, 2016, to the Great Falls Planning Advisory Board.

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

Commissioner Bronson noted that the Planning Advisory Board's preferred choice was Jana Cooper. Given that Ms. Cooper has worked for the Planning Department and recently left to work for a local engineering firm, it might be too soon for Ms. Cooper to join this particular board, but he encouraged her to apply for other City boards.

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

Motion carried 5-0.

9. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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

PUBLIC HEARINGS

10. **RESOLUTION 10049, ESTABLISHING CITY OF GREAT FALLS ANIMAL SHELTER RELATED FEES AND SERVICES.**

Deputy City Manager Jennifer Reichelt reported that this item is a request to conduct a public hearing and adopt Resolution 10049, establishing City of Great Falls Animal Shelter related fees and services. Adoption of Resolution 10049 repeals Resolution 9659 which was adopted in 2007. Resolution 10049 addresses and includes all animal control areas identified in the City Code as well

as all functions and services provided by the Great Falls Animal Shelter.

Mayor Winters declared the public hearing open.

No one spoke in support of Resolution 10049.

Speaking in opposition to Resolution 10049 were:

Ron Gessaman, 1006 36th Avenue NE, noted he wasn't speaking specifically in opposition, but wanted to point out his concerns. He suggested clarifying definitions of "Microchip," a grace period for "Animal Registration" and a specific date in "Bee Hive Owner/Bee Keeper Registration & Licensing" rather than prior to April 1 of each year.

Deputy Manager Reichelt explained that the definition language is consistent with current City Code language. With regard to bees, she suggested striking the sentence that hives be registered and licensed with Animal Control prior to April 1 of each year from the definition.

Mike Witsoe, 510 11th Street South, suggested changing the April 1st date to two months later. Mr. Witsoe inquired about bee hives outside of the City limits and if the City receives a subsidy from Cascade County.

Deputy Manager Reichelt responded that the City does not license County animals, nor does the City receive a subsidy from the County. The Great Falls Animal Shelter would accept a stray animal brought in from the County or from the Cascade County Sheriff's Office, but Great Falls Animal Control doesn't pick up animals in the County.

Mr. Witsoe commented that it is rumored that it will cost more to redeem an animal than to adopt it.

Deputy Manager Reichelt responded that rumor is false; it is not more expensive to redeem an animal than it was before.

Mr. Witsoe inquired what the rate of euthanasia is at the Animal Shelter.

Deputy Manager Reichelt noted that the focus of the proposed resolution is on fees and she does not have those numbers in front of her. An Animal Shelter presentation was made to the Commission a few weeks ago that can be viewed on the website. She commented that a remarkable amount of advertising and education has been done to reduce the euthanasia numbers significantly.

John Hubbard, 615 7th Street South, commented that bees are insects, not animals.

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

Commissioner Bronson moved, seconded by Commissioners Burow and Jones, that the City Commission adopt Resolution 10049 with amendment as proposed by the Deputy City Manager.

Motion carried 5-0.

11. **LEASE OF CITY-OWNED PROPERTY PARCELS 3016300 & 3015100, LOCATED THREE AND ONE-HALF MILES NORTH OF THE MANCHESTER EXIT, COMPRISING 316.5 ACRES FOR A PERIOD OF FIVE YEARS.**

Public Works Director Jim Rearden reported that this item is regarding the lease of City-owned property located three and one-half miles north of the Manchester Exit. A request for proposals was issued to 17 potential bidders for the agricultural lease of the property with four bidders responding. Arrow Kay Farms was the high bidder at \$8,625 per year for a total of \$43,125 over a five year period.

The Sanitation Division purchased the 316.5 acre property on September 10, 1991, for \$149,708.74 as a potential landfill site. It was subsequently decided to enter into a contract with Montana Waste Systems for disposal at the High Plains Landfill. The property has been held since that time should there be a future need or an opportunity arises for use as a landfill. Having this property available has and will continue to provide leverage in future disposal contract negotiations with Montana Waste Systems. The property has been in the Conservation Reserve Program since 1993 and payments have been received from that program totaling \$122,901. The program has expired for governmentally owned property and the City has opted to lease the property to continue receiving revenue.

Mayor Winters declared the public hearing open.

Speaking in opposition to the lease of City-owned parcels 3016300 & 3015100 were:

Ron Gessaman, 1006 36th Avenue NE, commented that he wasn't so much in opposition, but pointed out lacking or inconsistent language in the lease agreement. He concluded that he, being a member of the agricultural community, wouldn't sign this agreement.

Mike Witsoe, 510 11th Street South, inquired the amount of the lease payment per acre per year and was informed the lease for the entire parcel is \$8,625 per year.

Ron Laubach, Power, MT, noted that he bid on the lease of this property, and that he wasn't speaking in opposition to the lease of this property to Arrow Kay Farms. Mr. Laubach reported that he owns property on the south and west sides of the City's property. He wanted to make aware that there is a road easement that crosses the City's and his parcels and he plans on building a road across that property.

Commissioner Bronson and Director Rearden noted they were made aware of the easement situation. Director Rearden made County officials and Arrow Kay Farms aware of it as well.

Speaking in favor of the lease of City-owned parcels 3016300 & 3015100 were:

Holly Benson, representing Arrow Kay Farms on behalf of Justin Flaten, President of Arrow Kay Farms, clarified that Mr. Flaten did meet with Director Rearden regarding the road easement. Mr. Flaten felt there would be no problems with his farming operation should the road be put in place. She reported that Arrow Kay Farms actively participates in the NRCS Conservation Stewardship Program implementing farming techniques that enhance both wildlife habitat and soil health. Arrow Kay Farms will be a respectful tenant of the City should the lease bid be accepted, and also

be a good neighbor to adjacent land owners in the Manchester community. She urged the Commission's approval of the lease of City-owned property to Arrow Kay Farms.

Janice Lundby, 101 Manchester Lateral South, landowner that borders the roads to the property, commented that today's news article about establishing a possible landfill surprised her. She expressed concerns about a landfill. The property has historically been agricultural land. She strongly recommended approval of the lease to Arrow Kay Farms.

Ron Laubach, Power, MT, recommended approval of the lease to Arrow Kay Farms. He expressed concerns regarding a letter he received from DEQ regarding changes in regulations relating to the oily waste project next to this property.

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

Commissioner Jones moved, seconded by Commissioner Kelly, that the City Commission accept the bid from Arrow Kay Farms, Inc., for the lease of City-owned parcels 3016300 & 3015100 located three and one-half miles north of the Manchester Exit comprising 316.5 acres for a period of five (5) years.

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

Commissioner Bronson noted that originally he did not participate due to a possible conflict. He has since been advised by his client that he has no issues with him voting on this proposal.

Commissioner Burow noted he does not support this proposal. He has made known that he does not think the City should be in the leasing business. He would rather an appraisal and sale of the parcels.

Mayor Winters called for the vote.

Motion carried 4-1 (Commissioner Burow dissenting).

OLD BUSINESS

12. 2014/2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) POLICIES AND FUNDING PRIORITIES.

Planning and Community Development Director Craig Raymond reported that this item is a request to adopt Community Development Block Grant (CDBG) policies, and set 2013-2014 funding allocations that will provide the Community Development Council (CDC) with parameters for funding before they hear requests to fund specific programs during the 2014/2015 CDBG funding cycle. Staff is anticipated that in the upcoming federal funding cycle the City will receive roughly equal to last year's allocation although staff has not received any official word from HUD.

Director Raymond requested that the City Commission set "funding percentages" as follows:

- **Administration 20%** - the maximum amount allowable.
- **Public Services 15%** - the maximum amount allowable. Those fund programs and services

are primarily for low-income residents especially seniors, children and the disabled.

- **Public Facility Improvements 35%** - funds for capital improvements for infrastructure, park facilities and public buildings amongst other similar facilities.
- **Affordable Housing 30%** - funds that would continue to support the City's Revolving Loan Fund Specialist and that portion of the Code Enforcement Officer's work in eligible census tracts.

Director Raymond noted two key provisions in the CDBG Policies: (1) The first would open Public Facility Improvement dollars to any eligible non-profit organization. Each application will be reviewed by staff for eligibility and appropriateness and will forward to the CDC in order to compete with other Public Facility applications; and (2) the second would be to permit administrative costs to be paid for, in part, out of repayments to the City's Revolving Loan Program. Although some staffing adjustments have recently taken place in anticipation of declining federal funding, it is found that this approach puts a direct burden on the General Fund portions of the Planning Department budget. Allowing this practice will provide some flexibility in administering the program and require the CDBG and HOME programs to be more self-sufficient long term.

The actual dollar amounts will be adjusted, up or down, when funding levels are final.

Commissioner Kelly moved, seconded by Commissioner Bronson, that the City Commission adopt the Community Development Block Grant Policies, reaffirm the Citizen Participation Plan, and set the 2014/2015 CDBG Funding Priorities.

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

Commissioner Bronson thanked Director Raymond and staff for this proposal, returning to the policies that have been previously adopted and that he believes worked effectively and wisely.

Mayor Winters asked if there was any public comment. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

NEW BUSINESS

ORDINANCES/RESOLUTIONS

PETITIONS AND COMMUNICATIONS

13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. John Hubbard**, 615 7th Avenue South, commented that when minimum wage is increased everything else goes up. He also discussed his views on Obamacare and recession.
- B. Ron Gessaman**, 1006 36th Avenue NE, announced that Tax Help Montana will begin processing tax returns in a few weeks for low income people. He encouraged volunteers to contact Rural Dynamics. Mr. Gessaman was happy to see in the last Weekly Review that the Local Government

Review process was underway. He suggested more people than three for the election of Local Government Review Commissioners. He also pointed out that the Montana minimum wage was higher than what was set forth on Emteq's 2013 Production Hourly Position Pay Ranges-Montana document in the Weekly Review. Mr. Gessaman also read and agreed with Col. Stanley as quoted in Sunday's *Tribune* article.

- C. **Michael Witsoe**, 510 11th Street South, commended Commissioner Burow for voting against the lease of City-owned property this evening. Mr. Witsoe discussed Calumet's expansion, improvements and taxes.

CITY MANAGER

14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Deputy City Manager Reichelt reminded the Commission and invited the public to attend Judge Luth's retirement reception on Thursday, January 23rd, from 4 to 6 pm in the Gibson Room.

CITY COMMISSION

15. APPOINTMENT, MUNICIPAL COURT JUDGE.

Commissioner Jones reported that the Commission reviewed applications submitted for the Municipal Court Judge appointment from outstanding and dedicated individuals of the community. One applicant stood out very enthusiastically and had a great interview.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission appoint Steven Bolstad as Municipal Court Judge for the remainder of the unexpired term and the next regular City election in 2015 at a beginning salary of \$84,000 and 3% increase in six months.

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

Motion carried 5-0.

Mr. Steve Bolstad thanked the City Commission for the opportunity to serve in this position. He looks forward to serving the citizens of Great Falls and is humbled by all the support he has received from the public.

16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Bronson reported that on February 7th the Governor of the State of Montana on behalf of the Governor's Office of Community Service are going to be recognizing eight individuals or entities in the State of Montana who provide exemplary citizen service in the communities. He announced that of the eight recipients, three of them are from the City of Great Falls. He recognized Dave Snuggs, founder of My Neighbor In Need, the Downtown Chicks, and the Malmstrom Air Force Base Office of Emergency Management.

17. 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 January 21, 2014, at 8:26 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: February 4, 2014