

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE – Marine Corps League

PRESENTATION: Mr. Larry Malby and Legion of Honor member Bill Rogers presented Mike and Gina Winters with the prestigious Chapel of Four Chaplains Legion of Honor Award. The Legion of Honor Award recognizes and honors outstanding members of society whose lives model the giving spirit and unconditional service exemplified by the four army chaplains.

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; Deputy Director of Planning and Community Development; Police Chief; and the City Clerk.

PRESENTATIONS: Mayor Winters performed the swearing in ceremony for Firefighters Nolan Taylor and Tucker Cook.

Special Olympics representatives Jonathan Embler and Bob Norbie applauded this community, and presented an award of appreciation to Commissioner Bob Kelly, games co-director, and Steve Erwin of Erwin Insurance, for their stellar leadership and dedication to Special Olympics athletes.

**** 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.

Kathleen Gessaman, NC 3, announced that Neighborhood Council 3's next meeting will be held January 2, 2014, at 7 pm, in the Gibson Room of the Civic Center.

1A. COUNCIL 6 DRAWING OF TIE-VOTE OF WRITE-IN CANDIDATES.

Due to tie votes between the write-in candidates for the fifth seat on Neighborhood Council District 6, a drawing was held. Commissioner Bronson drew Darrell Beauchamp's name.

1B. SWEARING IN CEREMONY

Mayor Winters performed the swearing in of Shayla Patera and Michael J. McCoy, representatives of Neighborhood Council 2.

CONSENT AGENDA

- 2.** Minutes, December 3, 2013, Commission meeting.

3. Total expenditures of \$4,099,484 for the period of November 22 through December 11, 2013, to include claims over \$5,000, in the amount of \$3,887,229.
4. Contracts list.
5. Approve final payment in the amount of \$58,526.76 to United Materials of Great Falls, Inc., and \$591.18 to the State Miscellaneous Tax Division for the Central Avenue and 33rd Street North Water Main Replacements. **OF 1599.2**
6. Approve final payment in the amount of \$10,767.86 to United Materials of Great Falls, Inc., and the State Miscellaneous Tax Division for the Sunnyside Avenue Drainage Improvements. **OF 1611.7**
7. Award Professional Services Agreement in the amount of \$400,855 to NCI Engineering Company for engineering services associated with the Wastewater Treatment Plant DAFT Rehabilitation and Lift Stations 2, 20, and 24 Can Replacement and Miscellaneous Improvements Projects. **OF 1374.8**
8. Award bid for two new 2014 F150 half-ton 4x4 pickups to Bison Ford of Great Falls in the amount of \$43,707.76, including trade-ins.

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

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 36th Avenue NE, pointed out a typographical error on page 2 of Agenda Report Item 5 incorrectly stating the project was substantially complete on September 18, 2012, rather than 2013.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

9. **APPOINTMENTS, MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.**

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission reappoint Mary Sheehy Moe and appoint Michael Gilboe and Kelly Manzer for three-year terms beginning January 1, 2014, through December 31, 2016, to the Mansfield Center for the Performing Arts Advisory Board.

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.

10. APPOINTMENTS, COMMUNITY DEVELOPMENT COUNCIL.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint Jolene Bach and Dave Fink and appoint Steve Pre'tat to three-year terms expiring October 31, 2016, and appoint Max Bailey to fill the remainder of a three-year term through October 31, 2015, to the Community Development Council.

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.

11. APPOINTMENTS, REGIONAL AIRPORT AUTHORITY BOARD.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission appoint Debbie Goetze and Sean Hoven to three-year terms beginning January 1, 2014, through December 31, 2016, to the Regional Airport Authority Board.

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

Commissioner Bronson noted that the Commission takes the appointments to this board very seriously. The Commission interviewed and was impressed with all applicants making the choices difficult. He suggested that the letter that goes out to those not chosen include encouraging language that they keep their applications in for perspective appointments to other boards.

Commissioner Burow expressed concerns about no Cascade County residency or registered voter requirements for this particular board like all the other boards the Commission makes appointments to. He suggested that such guidelines be considered for this board before future appointments.

With regard to the residency requirement, Commissioner Jones noted that it is a regional, international airport that serves many counties and cities. However, he would be willing to have a general discussion with the other commissioners regarding adjusting the applicant interest form.

Commissioner Bronson concurred, noting that the ordinances and resolutions setting forth the requirements of all the boards were pulled and will be reviewed to improve the selection process even more.

Mayor Winters asked if there were any comments from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 4-1 (Commissioner Burow dissenting).

12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

PUBLIC HEARINGS

13. **CDBG & HOME GRANT/CONSOLIDATED PLAN COMMUNITY NEEDS PUBLIC HEARING.**

Planning and Community Development Director Craig Raymond reported that as part of the obligation as recipients of HUD/CDBG monies a hearing is required in order to provide an opportunity for the community to express to the City Commission and City staff what needs exist in the community that the City may address through the CDBG and HOME program. This information is important to consider when the Commission makes decisions on funding priorities and final allocations.

No actions or decisions are necessary tonight; however, the Commission is requested to conduct the Needs Hearing to hear from the community and consider carefully their comments through the application and funding schedule.

Mayor Winters opened the needs hearing.

Addressing the City Commission were:

Chris Christiaens, 600 36th Street South, Chairman of the Homeless Coalition in Great Falls, provided a handout to the Commission, discussed statistics, and encouraged the Commission to consider looking at ways to relieve food insecurity for families within the community, as well as funding for programs to assist veterans, emergency shelter for anyone living on the streets during cold weather, step up or step down services for the mentally ill, developmentally disabled and ex-offender population.

Mike Dalton, 1917 1st Avenue North, Executive Director of Sunburst Unlimited, reported that in collaboration with others, Sunburst Unlimited is working towards a self-sustaining community to feed local families and not rely on trucked in food and federal monies. Their programs involve the development of gardens, orchards and greenhouses, to aid in the health and well being of all citizens in the community. Mr. Dalton asked the Commission to join in being more expansive in planning and supporting these agencies.

Sheila Rice, 913 3rd Avenue North, Executive Director of NeighborWorks, commented that the 2011 housing study showed dramatic needs for additional homes in Great Falls, both rentals and home ownership. The situation has gotten worse. She thanked City staff for their help with a new 38-unit tax credit project that was awarded to Accessible Space, Inc. for fragile seniors. She urged the Commission to remember the need for affordable, quality housing in the CDBG plan.

Nancy Wilson, 1501 1st Avenue NW, Cascade County Senior Programs, commented that the allocation of CDBG monies for food and shelter really makes a difference in the lives of seniors.

Shayla Patera, 1013 7th Avenue NW, North Central Independent Living, requested that the Commission particularly consider housing needs of low income, homeless and disabled citizens. She would like to see more avenues pursued for the availability of vouchers for mental health and shelter plus care opportunities.

Bill Salina, 2001 Whispering Ridge, Cascade County Commissioner, asked for support in funding an engineering study that would help with planning and feasibility for a new community healthcare

center. He explained that the 10,000+ annual medical, mental health and dental visits to the existing healthcare center mainly consists of adults and that number is estimated to double by 2015. The existing federally qualified healthcare center, and that system of healthcare delivery, is considered to be one of the best models for bringing forward the affordable healthcare act. He urged the Commission's support whether or not the project qualifies for this type of a grant.

Anna Jones, 2324 6th Avenue South, Union Bethel AME Church, asked that construction projects be considered this year so that she can apply for a grant to make the church ADA accessible. The church has been in the community since 1891 and, in helping take care of citizens in the community, it provides food every Tuesday in the basement of the church.

Stephanie Schnider, 2617 6th Avenue South, Executive Director for Habitat for Humanity, provided a handout and noted that the City of Great Falls uses CDBG funding to develop viable communities by providing decent housing, suitable living environments, and expanding economic development. Habitat for Humanity believes that providing permanent housing for low income families hits all three of those objectives. She discussed the benefits of permanent housing solutions. The Habitat for Humanity program serves low income families, involves families in the construction of their homes, builds Energy Star compliant homes, and builds handicap accessible homes. **Jennifer and Jason Triplet**, Habitat for Humanity homeowners, also spoke about the importance of being homeowners.

Tracy Houck, 1016 3rd Avenue North, Executive Director of Paris Gibson Square, commented that the Board of Trustees, members and staff of Paris Gibson Square are committed to the promoting of art education and enhancing the tourism currency of the local community. Ms. Houck recognized the accomplishments of Paris Gibson Square the past year. She asked that support be given to Paris Gibson Square's grant requests for both the education program and facility needs.

Brett Doney, 300 Central Avenue, Great Falls Development Authority, provided a hand out and reviewed statistics. He reported that Great Falls has the lowest wages of 11 benchmarked western cities, and the projected job growth compared to those other 11 cities is also last. Mr. Doney suggested that 10% of the total allocation be allocated to economic development to connect job opportunities to those most in need.

Edward Jones, 2324 6th Avenue South, Union Bethel AME Church, commented that the previous speakers all have good causes. However, he explained that the Joseph Project, food provided every Tuesday evening in the basement of the church, helps people in the community at the "bottom of the barrel."

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

14. **RESOLUTION 10042, VACATION OF A PORTION OF UNIMPROVED 18TH STREET SOUTHWEST LOCATED ADJACENT TO LOTS 1-3, BLOCK 1, AND LOTS 1-2, BLOCK 2, PONCELET ADDITION (TEMPLE BAPTIST CHURCH).**

Planning and Community Development Director Craig Raymond reported that on October 7, 1997, the City Commission adopted Resolution 8903 which vacated the entire unimproved portion of 18th Street SW from Sunset Road to 5th Avenue SW. Unfortunately, the amended plat was never filed so

the vacation of right-of-way was never completed.

On October 22, 2013, after a public hearing, the Planning Advisory Board recommended that the City Commission approve the request to vacate a portion of 18th Street SW and approve the amended plat which relocates and consolidates seven lots into two lots.

On November 19, 2013, the City Commission adopted Resolution of Intent 10038 and set the public hearing for December 17, 2013.

Temple Baptist Church, together with the City of Great Falls, is applying once again for a vacation of right-of-way and plat amendment. The proposed action will aggregate seven parcels into two, adjust boundary lines and vacate a portion of the unimproved 18th Street SW. Ultimately, this will clean up issues that exist as a result of the previous action never being filed and construction of a City owned lift station.

Mayor Winters declared the public hearing open.

No one spoke in support of or in opposition to Resolution 10042.

Mayor Winters declared the public hearing closed.

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10042.

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

Motion carried 5-0.

15. **ORDINANCE 3115, AN ORDINANCE REPEALING TITLE 5, CHAPTER 20, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) TITLED "ESTABLISH AND OPERATE AN ELECTRIC UTILITY."**

City Manager Greg Doyon reported that the City Commission took prior actions to dissolve Electric City Power. This action will repeal the enabling ordinance of Electric City Power and removes the chapter titled "Establish and Operate an Electric Utility" from the OCCGF.

Mayor Winters declared the public hearing open.

Speaking in support of Ordinance 3115 were:

Kathy Gessaman, 1006 36th Avenue NE, commented that since 2003 the City has been steadily losing money. This is a very welcomed action.

Ron Gessaman, 1006 36th Avenue NE, concurred with his wife's comments. Mr. Gessaman read portions of a Tribune article titled "Great Falls needs to put Electric City Power out of its misery" authored by then Commissioner Mary Jolley.

Brett Doney, 300 Central Avenue, Great Falls Development Authority, commented that all he has heard amongst the business community in the last few months is what a great job the City Manager and City Commission has done to get out of Electric City Power. This Commission did what it said it was going to do.

John Hubbard, 615 7th Avenue South, expressed congratulations to this Commission, but commented that there should be accountability for prior actions.

No one spoke in opposition to Ordinance 3115.

Mayor Winters declared the public hearing closed.

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3115.

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

NEW BUSINESS

16. PARKING ENFORCEMENT CONTRACT RENEWAL, STANDARD PARKING.

Planning and Community Development Director Craig Raymond reported that on January 4, 2011, the City of Great Falls approved a three year contract between the City and Standard Parking to provide for management services for the downtown parking program. This contract provided for operation, enforcement, management and revenue collection of the metered parking areas, parking garages and City surface lots.

Staff is recommending a renewal of this contract with specific amendments. The suggested amendments will require Standard Parking to provide expanded services in the management of the parking program, including managing procurement of certain supplies necessary for the program, as well as maintain landscaping, sprinkler systems, clean windows and replace certain equipment necessary for the smooth operation of the parking program as stipulated in the contract amendment.

On November 18, 2013, the Parking Advisory Commission recommended that the City Commission approve the contract renewal along with the suggested amendments.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission renew the City's parking enforcement contract, as provided for in the original contract of January 4, 2011, and with the First Amendment negotiated by staff with Standard Parking.

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

Commissioner Bronson thanked Director Raymond for information presented at the agenda meeting that, based on more updated and recent research, it was clear the renewal was a better option than

what had been presented before. He also thanked Deputy Director Nellis for his work on this project as reflected in the minutes of the Parking Advisory Commission.

Mayor Winters asked if there were any comments from the public.

Ron Gessaman, 1006 36th Avenue NE, commented that the City should not be in the parking business. The parking program is losing money, and it aggravates and drives customers away from downtown. Mr. Gessaman proposed that the parking garages be sold to a parking condo-type organization that businesses could own a portion of to provide as a benefit to employees.

Edward Jones, 2324 6th Avenue South, commented that \$300,000 is being spent on a “dead horse.” He opposes downtown parking meters. He suggested junking the parking meters to enhance downtown business.

Tracy Houck, 1016 3rd Avenue North, commented that the prior speakers do not represent the Downtown Great Falls Association, Business Improvement District, or any of the shop owners. At meetings, they talk about how downtown Great Falls is flourishing. She concluded that downtown is being revitalized and it doesn't have anything to do with parking.

Lee Nellis, Deputy Director of Planning and Community Development, added that two-thirds of what the City pays Standard Parking is for payroll and stays in the community. Standard Parking manages over two million parking spaces and they know how to collect and report revenues. Mr. Nellis commented that it is a service that is necessary for a healthy downtown and will eventually have to pay for itself. He also clarified that no tax money goes into parking. At this point in time the parking program is self-sustaining.

Commissioner Bronson commented that his business is downtown; if he thought that approval of the proposed contract would be detrimental to downtown business operations, he would vote against it. He concluded that it's a myth that the City, through its parking program, has contributed to or caused problems to the City's downtown.

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

Motion carried 4-1 (Mayor Winters dissenting).

17. AUDIT REPORT, FISCAL YEAR 2012-2013.

Fiscal Services Director Melissa Kinzler reported that the City's FY 2013 Comprehensive Annual Financial Report (CAFR) and FY 2013 audit is now completed. The City's audit committee received a copy of the CAFR, independent auditor's report from JCCS, a brief summary of the FY 2013 audit, the client communication letter and the City's responses to the client communication letter. The audit committee met December 2, 2013, and recommended that the City Commission approve the CAFR and the presented letters.

The client communication letter comments on internal control recommendations related to the operations of the City that could adversely affect the City's ability to record, process, summarize, and report financial data. The letter notes that the auditor's have one recommendation for FY 2013, three prior year comments and the current status, and noted one material weakness for the audit.

Director Kinzler further reported that a special emphasis audit will again be performed on the Electric Fund in January.

Kelby Donnelly, 1124 22nd Avenue SW, Junkermier, Clark, Campanella, Stevens, P.C. (JCCS), reviewed sections of the Independent Auditors' Report on page 7 and Summary of Auditors' results on page 190 of the CAFR. The independent auditors reported an unmodified opinion; essentially, a clean opinion. Ms. Donnelly concluded that the results of the auditors' tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. The City continues to be a low risk auditee.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission accept the FY 2012-2013 Comprehensive Annual Financial Report (CAFR), Responses to the Required Client Communication Letter recommendations as presented, and authorize staff to submit the related reports to other governmental agencies and financial institutions as necessary.

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 36th Avenue NE, commented that he doesn't have any major problems with the audit. He noted that ECP's losses are shown throughout the audit, and that the City's responses to the client communication letter surprised him.

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

Motion carried 5-0.

18. DEPOSITORY AND BANKING SERVICES.

Fiscal Services Director Melissa Kinzler reported that a Request for Proposals for Depository and Banking Services was mailed to five banks on October 18, 2013. The RFP was advertised in the Great Falls Tribune and on the City's website. A pre-bid conference was held on Wednesday October 30, 2013, with two banks attending. The RFP submittal due date was November 22, 2013. Three responses to the RFP were received from: First Interstate Bank, US Bank, and Wells Fargo.

First Interstate Bank has been the City's provider for depository and banking services since 1994. The last time the City issued a RFP for Depository and Banking Services was January, 2004.

An evaluation committee comprised of Commissioner Bob Kelly, Deputy City Manager Jennifer Reichelt, Fiscal Services Director Melissa Kinzler, Fiscal Services Administrative Assistant Krista Artis, and Staff Accountant Cheryl Lucas reviewed the RFP's. The evaluation committee selected US Bank for the City's Depository and Banking Services provider. The recommendation is based on technology services offered, customer service references, lower transaction costs, all transition costs are projected to be covered by their implementation incentive, and the enhanced earnings credit rate offered.

Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission accept a proposal from US Bank for depository and banking services contract for a period of

three (3) years and optional two (2) two-year renewals, totaling seven (7) years, and authorize the City Manager to execute the necessary contracts.

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.

ORDINANCES/RESOLUTIONS

19. RESOLUTION 10043, APPOINTING A CITY OF GREAT FALLS EMPLOYEE AS THE DESIGNATED CITY REPRESENTATIVE AS A MEMBER OF NEIGHBORWORKS GREAT FALLS (NEIGHBORHOOD HOUSING SERVICES, INC. OF GREAT FALLS) LOANS COMMITTEE.

Deputy City Manager Jennifer Reichelt reported that Resolution 7280, adopted by the City Commission on April 17, 1979, established the Neighborhood Housing Services of Great Falls, Inc. (dba NeighborWorks Great Falls). The stated purpose of the organization was and continues to be to stimulate the investment of urban neighborhoods, to improve the housing stock within the City and to provide direct loans at flexible rate and terms.

Since 1980, NeighborWorks Great Falls (NWGF) has been revitalizing declining neighborhoods and providing affordable housing to lower-income families. NWGF is known nationally for small city revitalization and has become a national model for statewide delivery of rural housing programs through its affiliate, the Montana HomeOwnership Network. The Montana Board of Housing has committed more than \$40 million in mortgages to NWGF programs.

In order for NWGF to issue secondary loans for the 3.5% borrower-required down payment with an FHA-insured loan, they must be approved by the U.S. Department of Housing and Urban Development (HUD) as an instrumentality of government. Due to recent policy and regulation changes at HUD regarding the definition of an instrumentality of government, NWGF no longer meets the requirements.

In an effort to allow NWGF to continue issuing secondary loans and meet the regulations of being an instrumentality of government as determined by HUD, staff is requesting that the Commission appoint the Great Falls Housing Authority Executive Director to act as the City's designated representative to act as the final decision maker over NWGF's entire down payment assistance program. The payment assistance program includes funding received from the City of Great Falls, NeighborWorks America, the Montana Board of Housing, the Montana Department of Commerce and all other sources of secondary lending activities per Neighborhood Housing Services, Inc.

Commissioner Bronson moved, seconded by Commissioners Jones and Kelly, that the City Commission adopt Resolution 10043.

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.

20. **RESOLUTION 10045, RELATING TO UP TO \$2,750,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF.**

Fiscal Services Director Melissa Kinzler reported that on November 4, 2003, the electors of the City authorized the issuance and sale of general obligation bonds in the principal amount of \$2,500,000 for the purpose of paying a portion of the costs of acquiring land and designing, constructing, equipping, and furnishing a multi-field soccer park. This soccer park is leased to the Great Falls Soccer Foundation. These bonds are paid from proceeds of an ad valorem tax levy.

On November 7, 2006, the electors of the City authorized the issuance and sale of general obligation bonds in the principal amount of \$2,270,000 for the purpose of paying for improvements and upgrades to certain swimming pools in the City. These bonds are paid from proceeds of an ad valorem tax levy.

The refundings will reduce the interest cost on the bonds, which will reduce the taxes necessary to pay the interest on the bonds. Resolution 10045, will establish the terms, conditions and documentation for a private, negotiated sale of up to \$2,750,000 in General Obligation Refunding Bonds (Refunding Bonds) to D.A. Davidson & Co. The form of the Bonds and the final terms and conditions will be brought in front of the City Commission under a separate resolution for final approval.

Commissioner Kelly moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10045.

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.

21. **RESOLUTION 10046, RELATING TO UP TO \$1,200,000 LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014B; AUTHORIZING THE ISSUANCE AND PRIVATE NEGOTIATED SALE THEREOF.**

Fiscal Services Director Melissa Kinzler reported that in 2005 the City issued and sold its General Fund Obligation Note, Series 2005 (taxable), in the original aggregate principal amount of \$1,500,000 for the purpose of paying a portion of the costs of design, engineering, feasibility and environmental review with respect to the Highwood Generating Station. This obligation is paid from the City's general fund. The Series 2005 Note bears interest at a rate equal to the Five Year US Treasury Index as reported in the Wall Street Journal plus 2.3% per year, but in no event shall the interest rate exceed 7.21% per year. The interest rate on the Series 2005 Note is re-set every five years. Given the steady increase in interest rates over the preceding 12 month period and other relevant economic factors, it is anticipated that the interest rate on the Series 2005 Note will increase further prior to the next interest rate adjustment date in December 2015.

The refunding will reduce the interest rate risk related to the Series 2005 Note and stabilize the debt service payments. Resolution 10046 will establish the terms, conditions and documentation for a private, negotiated sale of up to \$1,200,000 in Limited Tax General Obligation Refunding Bonds

(Taxable) (Refunding Bonds) to D.A. Davidson & Co.

The form of the Bonds and the final terms and conditions will be brought in front of the City Commission under a separate resolution for final approval.

Commissioner Burow moved, seconded by Commissioner Kelly, that the City Commission adopt Resolution 10046.

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 36th Avenue NE, commented his problem with the refunding is the 5¼ interest rate.

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

Motion carried 5-0.

22. **RESOLUTION 10044, A RESOLUTION REPEALING RESOLUTIONS RELATING TO THE ADMINISTRATION AND OPERATION OF ELECTRIC CITY POWER, INC.**

City Manager Greg Doyon reported that adoption of Resolution 10044 will repeal Resolution Nos. 9529 and 9877 relating to the Articles of Incorporation and Amended Bylaws of Electric City Power (ECP) making ECP no longer operational or functional.

Commissioner Bronson moved, seconded by Commissioners Burow and Jones, that the City Commission adopt Resolution 10044.

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 36th Avenue NE, commented that a previously adopted ordinance required City-owned lighting districts to use City electricity.

Manager Doyon responded that NorthWestern Energy was reluctant to take on the lighting districts. This will take some time to work with a utility that would be willing, able and capable of taking on the additional responsibility. In the meantime, the City has transitioned out of higher priced power and the customers will be able to see a reduction in their utility rates in those lighting districts.

Commissioner Bronson noted that when he was on the Planning Board there was discussion about the issue of lighting districts. They came about for reasons other than the issue of Electric City Power. The City has the districts and the obligations and NorthWestern Energy has expressed no interest in taking them on.

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

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

23. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. Dave VanSon**, 2404 1st Avenue North, President of the Great Falls Firefighters Union, congratulated the two new firefighters sworn in this evening. Mr. VanSon thanked District Court Judge Greg Pinski, Russell Federal Credit Union, Embark Federal Credit Union, Identity Silk Screening and Printing, Steel, Etc., the Bozeman Firefighters Association, Great Falls Airport Firefighters Association, and the Montana State Council of Professional Firefighters for partnering with the Great Falls Firefighters Union in “Operation Warm” that raised money for 150 coats for kids in Great Falls. He also thanked patrons that purchased peppers during the 2013 Christmas Stroll, Van’s IGA, the City Bar, 2-J’s and Clark and Lewie’s. Donations were used for “Paul’s Holiday Wish,” a program that partners with the School District to provide Christmas food baskets and gifts to 15 families in the community. He also reported that on Christmas Eve firefighters shop to provide presents for kids at the Benefis Pediatric Ward.
- B. Ron Gessaman**, 1006 36th Avenue NE, referred to page 160 of the audit and commented that he wants to see tax increment money spent on improvements to West Bank Park. Mr. Gessaman also commented that it “burns him” to see the City supporting Emteq’s request to pay less money per hour pursuant to their grant award.
- C. John Hubbard**, 615 7th Avenue South, congratulated and expressed condolences to the newly elected officials. Mr. Hubbard commented that ECP’s losses will cripple this community for many years. He discussed his personal experience losing his arm while on the job and his disappointment with those involved in the judicial system.
- D. Tracy Houck**, 1016 3rd Avenue North, encouraged citizens to attend City Commission meetings, to become re-engaged in their government, and to take back the meetings for business to be conducted in a positive manner.

CITY MANAGER**24. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon thanked Deputy Director and Director of Planning and Community Development for the updated research and information regarding the parking program to renew the contract. He suggested that City representatives on the Great Falls Development Authority Board discuss it at the next board meeting to see if there is interest in the business community in purchasing and taking over the parking facilities and program.

Manager Doyon provided an update on his Defense Alliance meeting with Lt. Governor Walsh talking about military affairs across the state, and trying to look ahead to see what’s happening with our local military in terms of sequestration and budget adjustments.

He also discussed this evening’s actions with regard to Electric City Power and that City staff and this Commission can now refocus itself back to the community. The processes up to this point weren’t done without a lot of legal advice and financial discussion. It will be a multi-step, multi-year effort to get the City back into a good financial position. Despite all of this, the City of Great Falls will still have more than some other first class cities in the state that may operate differently or less conservatively than Great Falls.

Deputy City Manager Jennifer Reichelt responded to an earlier comment regarding the Big Sky Trust Fund grant award to Emteq, and clarified that the letter didn’t imply that the City was

advocating for lower paying wages. When the Emteq application was submitted, they weren't under the impression that it would be awarded at the highest level. After a meeting between the Department of Commerce and representatives from the City, GFDA and Emteq, the Department of Commerce recommended that Emteq disclose, before the award money was given, that they had concerns about meeting the highest wage at all levels. The grant award will be recalculated and Emteq will probably receive less. The grant money will be used to keep Emteq in the community to expand their operations.

She also encouraged those interested to apply for the Municipal Court Judge appointment. Applications are available at the City Clerk's and Manager's Offices and at www.greatfallsmt.net.

CITY COMMISSION

25. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Winters noted that he is looking forward to the New Year, and is excited ECP is dissolved.

26. COMMISSION INITIATIVES.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Jones moved, seconded by Commissioner Kelly, to adjourn the regular meeting of December 17, 2013, at 9:49 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: January 7, 2014