

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; City Attorney; Directors of Planning and Community Development, and Public Works; Interim Park and Recreation Director; Police Captain, and the City Clerk.

AGENDA APPROVAL: City Manager Greg Doyon removed items A, B and C from the contracts list, Agenda Item 5. No changes were made to the agenda by the City Commission. The agenda as amended was approved.

SPECIAL PERFORMANCE: The Great Falls College Community Choir performed Christmas music.

SWEARING IN: Mayor Winters performed the swearing in ceremony for Firefighter Tyler Osweiler.

PRESENTATIONS: Mayor Winters read a Resolution of Commendation for Great Falls Fire Rescue Service Rendered by C Platoon on November 11, 2014, and a Resolution of Commendation, Appreciation and Gratitude to Fire Chief Randy McCamley for his dedication and service to the City of Great Falls.

**** 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 ceremony for Lisa Meyers and Donna Hartelius, representatives of Neighborhood Council 7.

2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from Neighborhood Council representatives.

CONSENT AGENDA.

3. Minutes, December 2, 2014, Commission meeting.

4. Total Expenditures of \$2,189,614 for the period of November 18 through December 4, 2014, to include claims over \$5,000, in the amount of \$1,987,686.
5. Contracts list.
6. Set public hearing for January 6, 2015, for the Westside Little League Association Use Agreement.
7. Award contract to Highline Communications in the amount of \$92,272 for the Great Falls Fire Rescue Radio System Upgrade project. **OF 1683**
8. Approve final payment in the amount of \$13,608.99 to Phillips Construction, LLC, and \$137.46 to the State Miscellaneous Tax Division for the Lower South Side Water Main Replacement – Phase I. **OF 1465**

Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission approve the Consent Agenda, with items A, B and C removed from the contracts list, Item 5.

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

9. APPOINTMENTS, GREAT FALLS PLANNING ADVISORY BOARD.

Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission reappoint Dana Henkel and Nathan Weisenburger and appoint Mitch Stelling for three-year terms beginning January 1, 2015, through December 31, 2017, to the Great Falls Planning Advisory Board.

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

Motion carried 5-0

10. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

PUBLIC HEARINGS

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

Planning and Community Development Director Craig Raymond reported that, as part of the

City's obligation as a recipient of HUD/CDBG monies, the City Commission is required to hold this hearing in order to provide an opportunity to the community to express to the City Commission and staff what needs exist in the community that the City may address through the CDBG program. This information is important to consider when the Commission makes decisions on funding priorities and final allocations.

The information being gathered tonight will be compiled by staff and brought to the Commission at a future work session and then for formal action at a regular Commission meeting.

Mayor Winters opened the needs hearing.

Addressing the City Commission were:

Sheila Rice, Executive Director of NeighborWorks, 509 1st Avenue South, emphasized the need for housing services in Great Falls and how CDBG is an excellent use for those housing needs. She encouraged the Commission to consider housing as one of the primary needs for the CDBG dollars this year.

Susan Wolff, Great Falls College–MSU, discussed the importance of both housing and economic development. Adequate housing of all ranges is necessary to attract people to fill jobs. Companies looking to relocate to Great Falls want to know there is adequate housing for those employees. She concluded that it is important to continue to attract new companies to diversify the economy of Great Falls.

Mike Dalton, Executive Director of Sunburst Unlimited, residing at 1917 1st Avenue North, reported that he is the project supervisor of a two acre orchard on City land known as the Community Hall Park being developed with CDBG grant funds and private donations. He reported that over 4,000 pounds of fresh vegetables have been delivered to three non-profit kitchens to address City-wide food insecurity. Mr. Dalton suggested that in the new year citizens and leaders of Great Falls create a new paradigm where our neighbors are all empowered with the right and ability to have enough to eat and a safe place to sleep.

Shyla Patera, North Central Independent Living, 1013 7th Avenue NW, commented that housing is one of the biggest needs in Great Falls. North Central partners with NeighborWorks and Habitat for Humanity and other community agencies to help people with disabilities. She encouraged the use of CDBG monies for construction of new and rental accessible housing, as well as funding to assist partner agencies such as the Great Falls College–MSU and Sunburst Unlimited.

Stephanie Schnider, Executive Director of Habitat for Humanity, spoke in support of permanent housing for low income families. **Sophia Tingiman**, soon to be a Habitat for Humanity homeowner, discussed her personal situation and expressed gratitude for the program in making home ownership a reality for her and her family and others in the community.

Brett Doney, Great Falls Development Authority, 300 Central Avenue, spoke in support of continued economic development to connect job opportunities to those most in need in Great

Falls.

Tammy Lacey, Superintendent of Great Falls Public Schools, suggested a portion of CDBG monies be set aside for economic development activities. Economic development activities that enhance or maintain employment opportunities are important to the parents of the students who attend schools in Great Falls. She commented that poverty impacts student achievement and anything the community can do to address poverty though economic development will have lasting effects.

Stuart Boylan, Vice-President of Pacific Steel and Recycling, 5 River Drive South, spoke in support of CDBG funds being set aside for economic development, adding that it is important for diversification in the community.

Sharon Odden, Family Promise of Great Falls, 1019 Central Avenue, commented that Family Promise partners with social service agencies and a diverse network of local congregations to end homelessness one family at a time. Ms. Odden urged the Commission to set aside monies to address homelessness and especially for families with children.

Neil Fortier, Director of Rental Development with NeighborWorks Great Falls, requested that the Commission prioritize funding to address the needs of low and moderate income people with an emphasis on safe, decent and affordable housing.

Brad Talcott, 2801 4th Avenue North, requested the Commission consider setting aside a portion of funds for economic development with Great Falls Development Authority. Mr. Talcott conclude that economic development activities provides more job opportunities, drives up wages, and increases the tax base.

Cheryl Patton, President of the Board of Directors for NeighborWorks Great Falls, residing at 408 4th Street North, concurred with the comments of Neil Fortier, adding that housing needs to be addressed in Great Falls.

Spencer Woith, Chairman of the Great Falls Development Authority, residing at 1725 41st Street South, commented that by supporting economic development, the tax base will increase and, ultimately, the budget of the City of Great Falls.

Timothy Peterson, Vice-President of L'Heureux Page Werner, residing at 3405 Fern Drive, spoke in support of NeighborWorks for housing and Great Falls Development Authority for economic development.

Hester Dillon, Rural Dynamics, 2022 Central Avenue, urged the Commission to support public services that benefit low to moderate income individuals and families. She reported that Rural Dynamics provides financial education that is a critical piece that helps consumers learn to make choices that benefit their current circumstances and future goals. That success ultimately benefits the City of Great Falls.

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

12. **ORDINANCE 3127, REZONE PROPERTY ADDRESSED AS 1100 15TH STREET NORTH FROM M-2 MIXED-USE TRANSITIONAL TO I-1 LIGHT INDUSTRIAL.**

Planning and Community Development Director Craig Raymond reported that this item is a request to conduct a public hearing to consider Ordinance 3127 that will rezone the subject property from M-2 Mixed Use Transitional to I-1 Light Industrial. The subject property historically has been a City owned facility which was used as the Citizen Convenience Center/Recycling Center. The City recently sold the property to Mike Mitchell. The applicant has not submitted final plans for the ultimate use of the property at this time. However, City staff and Mr. Mitchell have been meeting to discuss the proposal and the desired zoning of I-1 due to the applicant's general desire to expand his current Mitchell's Crash Repair business that is located across the street. Staff finds that the proposed rezoning and potential redevelopment of the subject property is compatible with the surrounding uses and will enhance the area.

At a public hearing held on October 28, 2014, the Zoning Commission recommended that the City Commission rezone the subject property to I-1 Light Industrial subject to certain conditions as outlined in the agenda report.

Mayor Winters declared the public hearing open.

Speaking in support of Ordinance 3127 were:

Andrew Page, 322 Belt Creek Road, commented that the proposal is a great use of the property, a good fit for the area, and a good expansion of an existing business.

Brett Doney, Great Falls Development Authority, 300 Central Avenue, noted that it will be nice to see the property put back into use and fixed up as it is along a major thoroughfare.

No one spoke in opposition to Ordinance 3127.

Mayor Winters closed the public hearing and asked the will of the Commission.

Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission adopt Ordinance 3127.

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

Motion carried 5-0.

13. **NORTHVIEW ADDITION, PHASE 9, LOCATED AT NORTHVIEW AVENUE AND 12TH STREET NE.**

A. **RESOLUTION 10092, TO ANNEX SAID PROPERTY.**

B. **ORDINANCE 3126, ASSIGNS ZONING CLASSIFICATION OF PUD, PLANNED UNIT DEVELOPMENT, TO NORTHVIEW ADDITION, PHASE 9, IN THE SE¼ SECTION 25,**

TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M.

Planning and Community Development Director Craig Raymond reported that this item is a public hearing to consider Ordinance 3126 that would assign Planned Unit Development (PUD) zoning to ±2.6 acres of property that is known as Phase 9, the final phase, of the Northview Addition residential subdivision. The developer is also proposing an amendment to the Preliminary Plat and original PUD site plan for Phase 9. The previously approved Preliminary Plat and site plan called for townhouse units on the north side of Northview Avenue and detached single-family units to the south. The amended site plan requests townhouse units on both sides of Northview Avenue. The proposed amendments to the PUD site plan are consistent with the overall intent and purpose of the previously approved Preliminary Plat and PUD site plan. The slight increase in density in this proposal compared to what had been approved under the preliminary plat will not have an appreciable impact on the surrounding neighborhood or extended community.

At a public hearing held on September 23, 2014, the Planning Advisory Board/Zoning Commission unanimously recommended that the City Commission annex the subject properties into the City, assign PUD zoning to the property, approve the PUD site plan amendment and approve the final plat as requested subject to certain conditions.

Mayor Winters declared the public hearing open.

Speaking in support of Resolution 10092 and Ordinance 3126 was:

Brett Doney, Great Falls Development Authority, 300 Central Avenue, commented that this in-fill annexation site will provide affordable rentals, and that there is nothing not to like about this project.

Speaking in opposition to Resolution 10092 and Ordinance 3126 was:

Ron Gessaman, 1006 36th Avenue NE, commented that he hopes the City learned a lesson with this project and Planned Unit Development.

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

Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10092, and approve the Annexation Agreement pertaining to Northview Addition, Phase 9.

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

Motion carried 5-0.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission adopt Ordinance 3126, and approve the Final Plat including PUD site plan amendments.

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

14. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND AUDIT REPORT, FY 2013-2014.

Fiscal Services Director Melissa Kinzler reported that the City's FY 2014 Comprehensive Annual Financial Report (CAFR) and FY 2014 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 Required Client Communication Letter and the City's Responses to the Client Communication Letter. The audit committee met December 3, 2014, and recommended that the City Commission accept the CAFR and the presented letters.

The client communication letter contains no new recommendations. One prior year comment is still recommended regarding the golf courses not meeting the rate covenant provision for the revenue bonds.

Loran Stensland, Junkermier, Clark, Campanella, Stevens, P.C. (JCCS), reviewed the four sections of the CAFR. He noted page 188, summary of auditors' results, expressed an unmodified opinion. He 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.

City Manager Greg Doyon added that the City will have to evaluate its investment in the golf courses. Even though the courses have been under-performing, the City is under obligation to maintain its management pursuant to the revenue bonds. When the bonds retire in a couple of years there will need to be a discussion with the community regarding whether it's a priority to keep both courses open. The golf courses owe the general fund over one million dollars. Another conversation will involve whether that money will be repaid to the general fund or written off.

Commissioner Burow moved, seconded by Commissioner Kelly, that the City Commission accept the FY 2013-2014 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.

Commissioner Kelly noted that he was a member of the audit committee. He expressed appreciation to Director Kinzler and her staff for the professional job they do.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

15. ORDINANCE 3128, REZONE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF 46th STREET NORTH AND 3rd AVENUE NORTH.

Planning and Community Development Director Craig Raymond reported this item is a request to set a public hearing for January 20, 2015, to consider Ordinance 3128 which would rezone the subject property from R-3 Single Family High Density to R-5 Multi-Family Medium Density. The subject property has a non-residential land use history as it was previously the location of a neighborhood church and parking lot. There was also a preschool/daycare approved by the State for up to 45 children that operated at the church in 2003 and 2004. City records indicate the church existed from at least the early 1960s through 2009, when it was razed and the property has been vacant since that time.

While the current R-3 zoning does not allow a multi-family apartment use, staff finds that rezoning the subject property to R-5 may be appropriate considering the historical use of the property and especially considering the other adjoining land uses.

At a public hearing held on November 25, 2014, the Zoning Commission recommended that the City Commission rezone the subject property to R-5 Multi-Family Medium Density subject to certain conditions as outlined in the agenda report.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3128 on first reading and set a public hearing for January 20, 2015.

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.

PETITIONS AND COMMUNICATIONS

16. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. John Hubbard**, 615 7th Avenue South, discussed his lawsuit against a past employer, Charter Communications changing its channel line-up, and the Barry Beach case.
- B. Ron Gessaman**, 1006 36th Avenue NE, referred to page 108 of the CAFR and commented that West Bank Tax Increment Financing District has sufficient funds to make improvements at West Bank Park. Mr. Gessaman also quoted from Wikipedia titled Parking violation.

CITY MANAGER

17. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon announced that Charter Communications moved Government Access Channel 7 to 190. He further noted that Interim Director Rearden prepped the Commission at the work session this evening regarding West Bank Park improvements and utilizing TIF monies.

CITY COMMISSION

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Bronson reminded the public regarding the responsibility of sidewalk snow removal. He also recognized City Clerk Kunz, City Attorney Sexe, Neighborhood Council Coordinator Cadwell and others involved for the recent open government training provided to over 100 attendees from various boards and commissions and neighborhood council districts.

Mayor Winters reflected on a few past commission meetings and noted that he doesn't enjoy hearing false information, being subject to false accusations and belittlements, and will no longer give those the attention that they seek.

19. COMMISSION INITIATIVES.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Kelly, to adjourn the regular meeting of December 16, 2014, at 8:36 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: January 6, 2015