

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL: City Commissioners present: Michael Winters, Bill Bronson, Bob Jones, 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 Deputy City Clerk.

AGENDA APPROVAL: City Manager Greg Doyon recommended moving Consent Agenda Item 5, Contract Amendment and Extension Agreement for Operation and Maintenance of the Wastewater Treatment Plant with Veolia Water North America Operating Services LLC, due to the amount of the contract.

Manager Doyon noted a typographical error on the agenda report for Agenda Item 16, page 3 of 4 under Fiscal Impact: \$822,535 of new taxable value **minus** \$107,208 library allocation **minus** previous revenue estimate of \$95,000 = ~~\$623,327~~ should read **\$620,327**.

No changes were proposed by the City Commission. The agenda was approved with the recommendation to move Consent Agenda Item 5 to Old Business.

At the request of Mayor Winters, Boy Scout Aiden Shepherd sat with the Commission during the meeting to fulfill requirements for the communications merit badge.

**** 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, August 4, 2015, Commission meeting.
3. Total expenditures of \$3,331,843 for the period of July 15 through August 5, 2015, to include claims over \$5,000, in the amount of \$3,010,492.
4. Contracts list.

- *5. Moved to Old Business.
- 6. Approve final payment for the 23rd Street South Sidewalk Improvements in the amount of \$6,119.15 to David W. Kuglin Construction and \$61.81 to the State Miscellaneous Tax Fund.
OF 1671.0
- 7. Approve declaration of equipment as surplus.
- 8. Approve the Easement Agreement between the City of Great Falls and Erik Sletten for shared access between Americans Little League Baseball Complex and the BLM/Forest Service property on 38th Street North, just south of River Drive.
- 9. Set a public hearing to consider a lease agreement of City owned property within the Community Recreation Center with Child's World, LLC for September 15, 2015.
- 10. Set a public hearing to consider a lease agreement of City owned property within the Community Recreation Center with Cian Enterprises, Inc. for September 15, 2015.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda as presented with the removal of Item 5 to be discussed under Old Business.

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

Regarding Item 7, Commissioner Burow questioned how the City disposes of smaller surplus items.

Public Works Director Jim Rearden responded that most of those items are handled by individual departments. IT sells computers on eBay, some items are traded between departments, and some items are traded in.

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

Richard Liebert, 289 Boston Coulee Road, commended Public Works for the sale of surplus equipment listed in Item 7. He questioned if the 1992 Chevy Kodiak truck will be put up as surplus in the future, along with the crane, the post-puller, and the post-pounder.

Director Rearden responded the 1992 Chevy Kodiak truck trade-in was approved at the August 4, 2015 City Commission meeting. If the other items have value, a venue will be found to sell them.

Ron Gessaman, 1006 36th Avenue NE, believes Item 8 should be removed from the Consent Agenda because an easement in perpetuity should be discussed separately.

Mr. Gessaman discussed language in the minutes regarding the 1992 Chevy Kodiak truck. He also questioned information in the minutes that differed from a *Tribune* report regarding reconstruction of 36th Avenue NE.

Director Rearden responded the curb on the north side in front of Harvest Springs Church jogs in approximately three feet; the south side continues in a straight line that will be continued to Bootlegger at a width of 45 feet. Reconstruction will begin between 9th and 11th Street to achieve proper grade to 11th Street.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

11. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

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

PUBLIC HEARINGS

12. WEST RIDGE ADDITION PHASE VII-XI.

A. RESOLUTION 10113, ANNEXES SAID PROPERTY.

B. FINAL PLAT OF WEST RIDGE ADDITION PHASE VII.

C. ORDINANCE 3133, ASSIGNS ZONING CLASSIFICATION OF R-3 SINGLE FAMILY HIGH DENSITY TO SAID PROPERTY.

Planning and Community Development Director Craig Raymond reviewed and discussed PowerPoint slides pertaining to background on West Ridge Addition, Phase VII-XI. The project is located generally north of 40th Avenue NE between the recently approved Thaniel Addition to the west and 4th Street NE to the east. The subject property to be annexed is ± 58.749 acres and the final plat of Phase VII is ± 12.46 acres. The existing land use is agriculture, and the proposed zoning is R-3 single-family high density.

Director Raymond noted the proposed action is approval or disapproval of a final plat. He referenced OCCGF 17.16.27.020 as a basis of decision. Staff finds that the final plat request conforms to the review criteria in 17.16.27.020. The Commission approved the preliminary plat on June 9, 2015.

The draft Improvement Agreement outlines improvement requirements relating to the phasing of development of the subject property and obligations of the owner at the time of annexation into the City.

Director Raymond discussed primary concerns from the community including traffic impact, storm drainage, parks, zoning standards, and timing of process.

Staff recommended consideration of staff and public input, approval of the Findings of Fact,

adopting Resolution 10113, and approval of the Final Plat of Phase VII and the Improvement Agreement, and adopting Ordinance 3133.

Mayor Winters declared the public hearing open.

Speaking in support was **Jeremiah Johnson**, 1900 Whispering Ridge Drive, on behalf of Great Falls Development Authority (GFDA). He noted GFDA supports the development and urged annexation and requisite zoning.

Speaking in opposition were:

Leigh Ann Keplinger, 121 40th Avenue NE, believes citizens did not attend the July 28th West Ridge Planning Advisory meeting because they believe what they say is irrelevant to the Commission. Based on the City's understanding of the law, a developer has the right to develop land as long as it meets the City's standards. She believes the standards should be set higher to support an overall City plan, including storm drains, street lights, handicap curbs, boulevards, trees, parks, water solutions, playground equipment, and roads, not letting the developer buy out of them.

Ms. Keplinger noted that the same issues presented for Thaniel Addition should be on record for West Ridge. She questioned if homes will be developed initially, and then efforts made for wider road lanes. She discussed the increased needs for bus service, police, fire, and schools. She also discussed issues with property values with \$400,000 homes next to apartment complexes and self-built homes.

Ms. Keplinger questioned the need for tax increases if the City has been growing commercially and residentially. She noted that Riverview residents were told at the July 21, 2015, Commission meeting that the current infrastructure and services were adequate to meet expansion needs. She questioned adequate infrastructure since the Commission recently increased taxes to pay for a 911 operator, to begin paying for fire engine replacements, and to rebuild 36th Avenue NE.

Ms. Keplinger referred to an August 17th *Tribune* article regarding the growth on the northern edge of the City. She questioned where all the new tax dollars from the expansion were spent, why they were not budgeted for use on roads and City services, and why 36th Avenue NE was not included in the annexation process with developers.

Ron Gessaman, 1006 36th Avenue NE, asked the dollar amount for the 11% fee in lieu of park land. He also asked the number of lots that do not meet R-2 standards and questioned the R-3 zoning. He also questioned the 80-foot width of the northern arterial, 43rd Avenue NE, because space has been provided for the carrier, 6th Street NW, to be 100 feet wide.

Director Raymond responded that the 11% fee will be determined after the developers obtain a certified appraisal. The developer is requesting R-3 zoning, so an R-2 analysis was not done. There is currently a mix of R-2 and R-3 zoning in the area. He is comfortable with the 80-foot width for 43rd Avenue NE, as the typical City street is 60 feet of right-of-way. He believes there is potential for 6th Street NW to be much more than it is today.

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

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 10113 and approve the Improvement Agreement pertaining to West Ridge Addition, Phase VII-XI.

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

Motion carried 4-0-1 (Mayor Winters abstained).

Commissioner Bronson moved, seconded by Commissioners Kelly and Burow, that the City Commission approve the Final Plat of West Ridge Addition Phase VII.

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

Motion carried 4-0-1 (Mayor Winters abstained).

Commissioner Burow moved, seconded by Commissioner Kelly, that the City Commission adopt Ordinance 3133.

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

Motion carried 4-0-1 (Mayor Winters abstained).

Mayor Winters stated that he believes some questions pertaining to safety and traffic control have not been answered adequately. He expressed support for the development, but has personal reasons for abstaining as he resides in the area.

Commissioner Jones expressed appreciation to the two developers who worked together for the development that will include park land with trails and a water retention area that will be beautiful for all the homes in the area. He also supports the park maintenance fee.

OLD BUSINESS

- *5. APPROVE THE CONTRACT AMENDMENT AND EXTENSION AGREEMENT FOR OPERATION AND MAINTENANCE OF THE WASTEWATER TREATMENT PLANT WITH VEOLIA WATER NORTH AMERICA OPERATING SERVICES LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDED CONTRACT. OF 1010 (moved from Item 5)**

Public Works Director Jim Rearden reported the contract amendment extends the existing contract for operation and maintenance of the Wastewater Treatment Plant to December 31, 2020. Veolia Water, or their predecessors, has operated the Wastewater Treatment Plant since 1977. The current contract, with extensions, expires August 31, 2015. The City opted for a five-

year extension due to recent upgrades at the plant, and the current discharge permit will expire November 30, 2015. It is believed the five-year time period will allow the City and Veolia to validate future operating costs and know further requirements during that time.

Director Rearden noted that one of the main components added to the contract is an electricity reduction incentive program (ERIP) that incentivizes the contractor to save power on the operations of the plant.

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

Commissioner Kelly questioned how Public Works can assure that Veolia is living up to the industry standards of contracts across the country, knowing it would be difficult to remove the contractor.

Director Rearden responded the contract is based on comparisons with other contracts around the country. He believes there are only a couple companies that do contract operations on wastewater plant facilities, and they must meet state and EPA discharge permit requirements.

Manager Doyon noted there was discussion on doing a feasibility study to transition back to a City department, but because Veolia was familiar with some of the changes occurring at the plant, it would be better to use the existing company that has been operating the plant. He believes an assessment should be done at a later time to determine cost efficiency.

City Attorney Sara Sexe noted the 90-day termination clause built into the five-year contract.

Commissioner Jones noted the contract states the estimated cost for services provided through December 31, 2020, is in the worst case approximately \$18,000,000, which includes small capital projects to keep the treatment plant current.

Commissioner Bronson moved, seconded by Commissioners Kelly and Jones, that the City Commission approve the Contract Amendment and Extension Agreement for operation and maintenance of the Wastewater Treatment Plant with Veolia Water North America Operating Services LLC and authorize the City Manager to execute the amended contract.

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

Richard Liebert, 289 Boston Coulee Road, provided two co-gen plant handouts and discussed the history of the \$2.5 Million dead co-gen plant. He questioned why the generator is not being repaired.

Director Rearden responded the maintenance on the engine unit and filter has steadily increased. A major overhaul will be needed, and the decision was made to not invest that money because the rate of return was not there. Putting the engine in a backup mode that will operate one of the UV banks with the blower unit, a bioreactor, and one of the main pump stations will provide a very good utility backup generator without having to spend the money for overhaul.

Ron Gessaman, 1006 36th Avenue NE, believes the co-gen plant investment is another illustration of where the City seems to have spent taxpayer money in a poor manner. He questioned the profit percentage provided Veolia in the contract.

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

Motion carried 5-0.

NEW BUSINESS

13. **AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$157,505.50 TO UNITED MATERIALS OF GREAT FALLS, INC. FOR THE MISSOURI RIVER PARKING LOTS AND VAULT TOILET REPLACEMENT. OF 1585.4**

Public Works Director Jim Rearden reported that the project builds two new parking lots to serve the River's Edge Trail and the City park system. One lot is near Garden Home Park on Bay Drive and one at West Bank Park. The vault toilet will replace an existing toilet near the north end of West Bank Park. The three projects are funded by 85% CTEP funds, 12% TIF funds, and the balance by Recreational Trails, Inc.

Director Rearden reported concurrence by MDT was received earlier in the day.

Commissioner Kelly moved, seconded by Commissioners Bronson and Burow, that the City Commission award a contract in the amount of \$157,505.50 to United Materials of Great Falls, Inc. for the construction of the Missouri River Parking Lots and Vault Toilet Replacement and authorize the City Manager to execute the construction contract document.

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.

14. **AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$308,500 TO AE2S CONSTRUCTION LLC FOR THE GORE HILL PUMP STATION ELECTRICAL IMPROVEMENTS. OF 1625.5**

Public Works Director Jim Rearden reported that the project will replace and upgrade existing electrical components of the Gore Hill Pump Station. This pump station is the only source of water for the Gore Hill area, which includes the airport. Water plant electrical staff is also concerned that if electricity needs to be shut off, the main breaker will not be able to reenergize the station due to the condition of some of the equipment. The project was initially put out to receive bids on June 24, 2015, and no bids were received. Local worker shortage was cited by local contractors for their reason not to bid. It was determined there was a real need to complete the project and two additional bidders were solicited. Three responsive bids were received on August 5, 2015. The low bidder, ACL, is a separate corporation under a holding company which also owns AE2S Engineering, the engineering firm on the project. ACL submitted the low bid,

which is \$33,500 under the second bid. City staff is comfortable that AE2S will represent the City to the full extent and with the City's best interests in mind.

Commissioner Burow moved, seconded by Commissioners Jones and Kelly, that the City Commission award a contract in the amount of \$308,500 to AE2S Construction LLC (ACL) for the Gore Hill Pump Station Electrical Improvements, and authorize the City Manager to execute the construction contract documents.

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.

15. APPROVE A CUSTOMER SERVICE AGREEMENT IN THE AMOUNT OF \$439,903.29 WITH NORTHWESTERN ENERGY FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE WATER TREATMENT PLANT FACILITY UPGRADES. OF 1519

Public Works Director Jim Rearden reported that as part of the major upgrade at the water treatment plant currently under design and proposed to bid early next year, the north feed service line into the water treatment plant must be relocated. This customer service agreement with NorthWestern Energy is in preparation for future construction of the new UV facility and surge tank that will be built at the water treatment plant. Since the line must be moved to accommodate those facilities, it will be buried to make the feed more secure and also improve aesthetics.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission approve a Customer Service Agreement in the amount of \$439,903.29 with NorthWestern Energy for construction services associated with the Water Treatment Plant Facility Upgrades, and authorize the City Manager to execute the contract documents.

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

16. RESOLUTION 10116, ANNUAL TAX LEVY.

Fiscal Services Director Melissa Kinzler reported that the City received the taxable valuation for the City of Great Falls from the Montana Department of Revenue on August 3, 2015. Accordingly, the City can now compute and set its annual mill levy. During the budget process the City's newly taxable property revenue was estimated to be \$95,000. The actual newly taxable revenue from the Department of Revenue is \$822,535. One immediate benefit to the City's budget is to the Great Falls Public Library. Under an agreement with the City, the Library receives 9 mills, and with the newly taxable value, this translates into an additional \$107,208 in FY 2016. This unexpected amount of new newly taxable property revenue means that the City will have projected additional revenue in the amount of \$620,327.

Included in the mill levy resolution are 1.97 mills for soccer park debt service payments; 3.12 mills for the swimming pool debt service payments; 23.03 mills for the permissive medical levy, which has an additional revenue of \$286,000 in the mills; and 162.17 mills for the general fund, which has the newly taxable property revenue increase of \$822,535, plus the inflation adjustment of \$88,387. The total mills for this fiscal year are 190.29 mills.

The Fiscal Year 2016 budget was adopted July 21, 2015. Setting the mill levy is the last step in the process.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 10116.

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, expressed concern that the Fiscal Services Department was so far off in estimating the newly taxable value. He noted the City will receive an additional \$1.2 Million in revenue, the difference in the mill levy for Fiscal Year 2015 and Fiscal Year 2016. He discussed the recent property reappraisal and noted some properties have increased 30% or more without any improvements being made.

Commissioner Bronson commented that the process of revenue estimation is extremely difficult. Fiscal Services has been extremely conservative in estimating the additional property tax value because the amount is not known until the end of July or first of August based on information from the Department of Revenue. The increased taxable value generated from new business enterprises in the community was a favorable surprise. Resolution 10116 primarily reflects the budget that was adopted last month, and he believes the Commission wants to wait until the first tax collections are received at the end of November or first of December to see the number of protests. As a result of the voter initiative passed in 1986, local governments are substantially limited in raising revenue from property taxes. He expressed support for the outstanding job done by Fiscal Services in keeping the City on a cautious and prudent course.

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

Motion carried 4-1 (Commissioner Burow dissenting).

17. **RESOLUTION 10118, AMENDING RESOLUTION 11071, REVISING THE MANSFIELD BOX OFFICE TICKETING SERVICES LANGUAGE.**

Deputy City Manager Jennifer Reichelt reported that, on April 15, 2014, the Commission adopted Resolution 10071, which set a new fee structure for the Mansfield Center for the Performing Arts (MCPA). Over the past few months Events staff has been working on revising the *Mansfield Box Office Ticketing Services* language, in an effort to increase usage and attract more clients. One of the goals of Resolution 10071 was to not only book more events at the MCPA, but by requiring the use of the box office, also provide an increase in revenue for the facility. However, there is concern that this new requirement may have been a deterrent for potential users, specifically those considering renting the convention center or other meeting rooms.

There was a slight decrease in rental dates in the convention center over the last two years. In FY15, the convention center had 50 rental days, compared to 64 rental days the previous fiscal year. This past fiscal year the convention center received \$84,088.74 (unaudited) in revenues from event bookings; however the facility expenses for the convention center are approximately \$108,786. This internal service charge is based on square footage and includes all building related expenses such as general repairs and maintenance, power and lights, air conditioning and heating. It does not take into account the MCPA staffing costs.

It is staff's goal to increase the usage of the MCPA and Mansfield Box Office whenever possible; however there are times when requiring the use of the box office may not make sense or be practical. In developing the revised *Mansfield Box Office Ticketing Services* language, staff contacted comparable event facilities throughout the state and region and reviewed past event history of the convention center. Staff believes they have developed a flexible and fair policy that addresses a wide range of needs. Events in the theater will continue to be required to use the box office; this transition began back in 2006.

Highlights of the revised *Mansfield Box Office Ticketing Services language* include:

- The use of the Mansfield Box Office is required for all publicly advertised events held in the convention center with admission over 400.
- Promoters located outside the State of Montana, are required to use the Mansfield Box Office for all publicly ticketed events held at the Mansfield Center for the Performing Arts.
- The use of the Mansfield Box Office is not required for events in the Commission Chambers, Gibson Room, Missouri Room or any of the smaller meeting rooms.
- The Mansfield Box Office will retain exclusive rights to all internet ticket sales for events held in the Mansfield Theater and Mansfield Convention Center.

The use of the Mansfield Box Office would not be required in the Mansfield Convention Center in the following situations:

- When less than 400 tickets are being sold to a publicly advertised event.
- For event registration.
- When the entire event, or a portion of the event, is sold through corporate sponsorships and no more than 200 tickets are available for purchase by the public.
- When the event is not open to the public.
- When admission at the door is less than \$10.

Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10118.

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

Commissioner Kelly commended staff for reconsidering a policy that was set a year ago, after realizing it was not accomplishing what was intended to incentivize more business.

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

Ron Gessaman, 1006 36th Avenue NE, believes the 22% decrease in facility utilization from 64 to 50 is not a slight decrease. Community comments have indicated the MCPA is too expensive. He believes it is likely MCPA will be priced out of the market when the Hilton Garden Inn opens a new facility.

Deputy Manager Reichelt responded that one of the reasons the resolution is being amended is the requirement to use the box office when using the facility and selling tickets. Use of the box office includes some of the new fees that were adopted last year. That could have been a deterrent for some small nonprofits to use the facility. By not requiring a group with less than 400 tickets to use the box office, those fees would not be incurred.

Deputy Manager Reichelt noted the rental rates of the facility are comparable to other facilities. Smaller groups are encouraged to come back to the facility or consider using the facility for the first time.

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

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. Richard Liebert**, 289 Boston Coulee Road, noted that he was promised a response six weeks ago regarding the expected revenue and estimated Public Works expenditures for the CHS annexation.

Manager Doyon responded that the City provides copies of documents, but if the Commission directs, time can be devoted to provide some kind of formula to determine estimated tax revenue from the annexation and impact on City services, if that is the request being made.

Mr. Liebert requested a Department of Revenue estimate.

Manager Doyon responded that information is available from the State.

Mr. Liebert believes that when a \$2.5 Million piece of equipment requires maintenance, there should be accountability and repair done, or the contractor should be sued.

- B. Ron Gessaman**, 1006 36th Avenue NE, noted the recent Commission candidate forum. He questioned why the word ‘TIF’ was not mentioned. Approximately \$320,000 in potential revenue is lost from the five largest TIF districts in the City that could be used to fund public services. Those businesses are not contributing those dollars to support the services they are using – police, fire, library, and schools – and they are also not contributing to the County. He does not support encouraging business thru TIF’s.

Mayor Winters noted the candidates at the forum did not have anything to do with the agenda. He also noted the candidate forum was held by NC 5.

CITY MANAGER

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Manager Doyon commented the co-gen facility did not materialize for the City, and the City must pay off that facility. He understands the intent many years ago was to have a way to generate renewable energy credits.

In regard to projections for newly taxable property, Manager Doyon noted the amount in 2012 was \$869,000, 2013 was \$216,000, 2014 was \$135,000, and 2015 was \$54,000. That data is used to evaluate and determine a good estimate of newly taxable income. For clarification, he noted the State does reappraisals and drives property values.

Manager Doyon believes that for some people it is easier to criticize rather than offer something positive. He also believes it is more fun to degrade, humiliate, and belittle. It is unnecessary, unfortunate, and small.

Manager Doyon commended Ms. Kinzler on an awesome job. He noted that she provided clarification during the ECP issue, and he trusts her implicitly. He believes she does a great job and deserves more recognition than that.

CITY COMMISSION

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Burow questioned if a response had been provided to letters from Ms. Metzger.

Mayor Winters responded that he met with Ms. Metzger, and he is informed staff is reviewing the information she submitted.

Manager Doyon noted that because of a conflict with City Attorney Sexe on that issue, outside counsel services have been retained to review the material that was provided and make a legal determination.

21. COMMISSION INITIATIVES.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Mayor Winters adjourned the regular meeting of August 18, 2015, at 8:39 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

Deputy City Clerk Lucy Hallett

Minutes Approved: September 1, 2015