



City Commission Agenda

for

January 22, 2008

Please Note: The City Commission agenda format allows citizens to speak on each issue prior to Commission action. We encourage your participation. Please keep your remarks concise and to the topic under consideration.

CALL TO ORDER: 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION

National Mentoring Month

NEIGHBORHOOD COUNCILS

1. Appointment, Neighborhood Council Member District 4. Action: Conduct drawing and appoint member to Neighborhood Council District 4.
2. Miscellaneous reports and announcements.

PUBLIC HEARINGS

3. Sale of City-Owned Park Land, Sandhills Park. Action: Conduct public hearing and approve or deny sale of Sandhills Park land. (Requires 4/5 vote) **(Presented by: Marty Basta)**
4. Res. 9708, to Establish Water, Sewer and Storm Drain Utility Service Rates and Fees. Action: Conduct public hearing and adopt or deny Res. 9708. **(Presented by: Jim Rearden)**

OLD BUSINESS

NEW BUSINESS

5. Appointment, Special Examiner. Appoint Special Examiner to conduct further investigation into the report prepared by the Police Department concerning allegations regarding the Animal Shelter operations. Action: Appoint Special Examiner. **(Presented by: John Lawton)**

ORDINANCES/RESOLUTIONS

CONSENT AGENDA The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.

6. Minutes, January 8, 2008, Commission meeting.
7. Total Expenditures of \$1,666,587 for the period of January 1-16, 2008, to include claims over \$5000, in the amount of \$1,463,935.

8. Contracts list.
9. Grants list.
10. Set public hearing for February 5, 2008, on Res. 9726 Golf Fees.
11. Set public hearing for February 5, 2008, on Res. 9724, Cost Recovery at 308 7th Avenue South.
12. Approve extension of gasoline and diesel fuel contract to Mountain View Co-Op for three years.
13. Approve contract for Engineering Services with Thomas, Dean and Hoskins, Inc. in the amount of \$73,300 for the Water Treatment Plant Backwash Clarifier and Screening System Modifications.
14. Approve contract for Engineering Services with Industrial Automation Consulting, Inc., in the amount of \$14,893.33 to provide services to design control system improvements and programming services at the Water Treatment Plant.
15. Approve co-sponsorship for the Great Falls Regional Science and Engineering Fair on February 9, 2008, in an amount up to \$500.
16. Postpone bid award for the Great Falls Animal Shelter Medical Director.
17. Reject bids for roof replacement at Fire Station #2.

Action: Approve Consent Agenda or remove items for further discussion and approve remaining items.

BOARDS & COMMISSIONS

18. Appointments, Community Development Council. Action: Appoint three new members and reappoint John Martin and Dale Schwanke to the Community Development Council.
19. Miscellaneous reports and announcements.

CITY MANAGER

20. Miscellaneous reports and announcements.

CITY COMMISSION

21. City Manager Appointment.
22. Miscellaneous reports and announcements.

PETITIONS AND COMMUNICATIONS *(Please keep your remarks to a maximum of 5 minutes)*

23. Miscellaneous reports and announcements.

MOTION TO ADJOURN

CITY OF GREAT FALLS, MONTANA

AGENDA # 1

A G E N D A R E P O R T

DATE January 22, 2008

ITEM Neighborhood Council Member Appointment– District 4

INITIATED BY Patty Cadwell, Neighborhood Council Coordinator

ACTION REQUESTED Conduct Drawing and Make Appointment

PRESENTED BY Lisa Kunz, City Clerk

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RECOMMENDATION: It is recommended that the City Commission conduct another drawing of the Neighborhood Council – District 4 tie vote candidates and then make an appointment to Neighborhood Council – District 4.

MOTION: After conducting the drawing, I move the City Commission appoint _____ to Neighborhood Council - District No. 4 for a two year term effective January 1, 2008.

SYNOPSIS: The Neighborhood Council election was held November 6, 2007, in conjunction with the City’s general election. Pursuant to Title 2, Chapter 50 of our Municipal Codes, each neighborhood district shall have a council comprised of five resident members. In the case of Neighborhood Council - District No. 4, six write-in individuals tied for the fifth seat on that council. The election administrator has verified and reported that those individuals are qualified electors and residents of their designated neighborhood district. On December 4 and 18, 2007, the Commission held drawings of the tie vote candidates. Both individuals drawn have declined the appointment. Therefore, it is necessary to conduct another drawing to appoint the fifth seat of Neighborhood Council - District 4

The City Attorney recommends the City Commission hold a fair and impartial drawing of the tie vote candidates to select the fifth member of Neighborhood Council - District 4.

AGENDA REPORT

DATE January 22, 2008

ITEM: Public Hearing: Sale of City Owned Park Land: Lot 2A-2, Block 1, of the Amended Plat of Lot 2A, Block 1 of an Amended Plat of Lot 2, Block 2, Sand Hills Park Addition

INITIATED BY: Park & Recreation Department

ACTION REQUESTED: Conduct Public Hearing and Approve Sale of Park Land

PREPARED AND PRESENTED BY: Martin Basta, Park and Recreation Director

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RECOMMENDATION:

Staff recommends that the City Commission conduct the public hearing and approve the sale of a portion of Sandhills Park property.

MOTION:

“I move the City Commission approve the sale of City owned park land: Lot 2A-2, Block 1, of the Amended Plat of Lot 2A, Block 1 of an Amended Plat of Lot 2, Block 2, Sand Hills Park Addition.” (Approval requires a 4/5 majority.)

SYNOPSIS:

The City of Great Falls, according to Chapter 3.04 OCCGF, established a fair market value for the park property, based on an appraisal prepared in accordance with Uniform Standards of Professional Appraisal practices.

The Great Falls Housing Authority has expressed interest in purchasing 1.38 acres for the appraisal value of \$228,000. The Housing Authority intends to construct 16 affordable housing units on the property. The City supports the Housing Authority’s efforts to provide affordable housing in Great Falls in accordance with Montana Codes Annotated section 7-15-4416.

The City Code, section 3.04.080, allows for the sale of City land without bids to a governmental entity. The Great Falls Housing Authority is a municipal housing authority created under Title 7, Chapter 15, parts 44 and 45 M.C.A.

BACKGROUND:

Sandhills Park is the location of a storm water detention basin. All but approximately 3 acres of the 13.15 acre park is within the storm water detention basin. The “Park and Recreation Master Plan” has given priority to nearby Sunnyside Park which is surrounded by existing homes and is fully developed.

Reserves from the sale of the park land will be used to fund the construction of the community splash parks located in Jaycee Park and Dudley Anderson Park (Water Tower Pool). The estimated cost of the splash parks is \$260,000, with the balance being paid out of the Park Trust Fund.

The Park & Recreation Board, at its December 20th meeting, approved the sale of the property.

**CITY OF GREAT FALLS, MONTANA
AGENDA REPORT**

**AGENDA # 4
DATE: January 22, 2007**

ITEM Resolution 9708; to Establish Water, Sewer and Storm Drain Utility Service Rates and Fees

INITIATED BY Bond Covenant Requirements and Capital Improvement Needs

ACTION REQUESTED Conduct public hearing and adopt or deny Resolution 9708; to Establish Water, Sewer and Storm Drain Utility Service Rates and Fees

PREPARED BY Martha Capps, Operations Supervisor

APPROVED BY Coleen Balzarini, Fiscal Services Director

RECOMMENDATIONS: Staff recommends the City Commission conduct a public hearing, and adopt Resolution 9708, to Establish Water, Sewer, and Storm Drain Utility Service Rates and Fees.

MOTIONS: "I move the City Commission adopt Resolution 9708, to establish water, sewer, and storm drain utility service rates and fees."

SYNOPSIS: Each year, staff reviews and analyzes the financing needs of the water, sewer, and storm drain utility funds. The review allows us to insure the City has the funding necessary to finance day to day operations, and provide for any capital improvements, emergency main breaks, or replacements. These funds also provide the financing to run the Water and Waste Water Treatment Plants effectively. Adjustments in utility rates are necessary to provide adequate revenue to meet annual operating requirements, finance the capital improvements program, meet debt service coverage requirements and to maintain appropriate reserves.

BACKGROUND: The public has been notified of the public hearing and the proposed rate changes through three legal ads in the Great Falls Tribune, inserts sent in the utility bills the end of December and the first part of January, and a separate notice to our commercial customers. The public hearing provides a vehicle through which the public can express their views and concerns to the commission. With the proposed rates beginning February 5, 2008, the average residential utility bill will increase approximately 4% or \$1.79. This is derived from a water and sewer utility service increase of 5.0%, each, and no increase in the storm drain utility service rate.

RESOLUTION 9708
TO ESTABLISH WATER, SEWER, AND STORM DRAIN RATES AND FEES

A RESOLUTION TO ESTABLISH WATER, SEWER, AND STORM DRAIN RATES AND FEES IN ACCORDANCE WITH 13.02.040 OCCGF, EFFECTIVE FEBRUARY 5, 2008

WHEREAS:

The City Commission of the City of Great Falls, met and conducted the hearing in the regular session on Tuesday, January 22, 2008 at the Civic Center, Great Falls, Montana, at 7:00 p.m. and did consider the cost of operation, equipment, facilities, debt service, and capital improvements for the Water, Sewer, and Storm Drain systems;

13.02.040 OCCGF states: "All rates or fees for use of the utility systems or for permits, licenses, connections or inspections shall be defined by resolution and approved by the City Commission. . ."

NOW, THEREFORE:

The City Commission of the City of Great Falls does hereby establish water, sewer, and storm drain rates and fees for City customers as follows:

Water, Sewer, and Storm Drain Utility Service Rates as shown in Appendix A
Water and Sewer Utility Service Fees as shown in Appendix B

Passed by the Commission of the City of Great Falls, Montana, on this 22nd day of January 2008.

Dona Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

State of Montana)
County of Cascade: ss.
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9708 was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 22nd day of January, 2008, and approved by the Mayor of said City, on the 22nd day of January, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 22nd day of January, 2008.

Lisa Kunz, City Clerk

(SEAL OF CITY)

CITY OF GREAT FALLS, MONTANA
Resolution No 9708, Appendix B
2008 UTILITY FEES

		Water Service Line Size (inches)										
		(3/4") 0.75	1.00	1.25	1.50	2.00	3.00	4.00	6.00	8.00	10.00	12.00
CONNECTION FEES												
WATER												
	2008	\$ 304	\$ 337	\$ -	\$ 410	\$ 444	\$ 669	\$ 860	\$ 1,333	\$ 2,227	\$ -	\$ 4,464

Fee shall be ADDED TO: General Plumbing Permit for extension to new buildings; or, Inspection Permits for larger diameter pipe.

SEWER

Single Family Residential

2008 | \$ 167 |

Commercial & Multi Family Units

2008 | \$ 167 | \$ 312 | \$ - | \$ 612 | \$ 1,286 | \$ 2,450 | \$ 4,415 | \$ 6,380 | \$ 9,788 | \$ 13,535 | \$ 18,830 |

Fee is IN ADDITION TO the Inspection Fee, and is for connection of service line to sewer line, which does not include installation. There is no fee for STORM SEWER connection.

Where one meter serves one multi-purpose development, either mobile home, multiple family housing units, local business, commercial, industrial, residential use zones or variance, the connection charge will be based upon the size of the water tap. If there is no water tap, the charge will be based upon the the sewage being discharged on the same ratio as for other sewer connections.

TAPPING FEES (Water)

Fee for any new or replacement tap being made on a water main.

1 to 5 taps Fee per Tap:

2008 | \$ 326 | \$ 343 | \$ - | \$ 517 | \$ 652 |

6 or more taps Fee per Tap:

2008 | \$ 292 | \$ 320 | \$ - | \$ 517 | \$ 652 |

INCLUDED in this fee is installation of a corporation stop on the main, and furnishing of corporation stop, curb stop and box. NOT INCLUDED, and to be BILLED EXTRA, is the cost of saddles, clamps and other extraneous fitting required for the tap.

INSPECTION FEES

Fees for inspection and approval of all water service work and all sewer connections under Title 13 OCCGF.

WATER Flat fee of :

2008 \$ 100 PLUS costs for test taps, testing equipment, overtime, and chemicals.

SEWER Flat fee of :

2008 \$ 100

RIGHT OF WAY PERMIT

(Water & Sewer)

Flat fee of :

2008 \$ 35

Fee for the Permit to be issued for any excavation in a dedicated right-of-way. (Formerly the Street Opening Permit.)

FIRE LINES

NEW Flat fee of :

2008 \$ 100

REPAIR Flat fee of :

2008 \$ 100

LICENCES -- DRAINLAYER

(Sewer)

Flat fee of :

2008 \$ 60

Fee for License to excavate, construct, or connect and sewer, drain or cesspool.

TURN ON/OFF

Flat fee of : After Hours

2008 \$ 35 2008 \$ 60

WATER TREATMENT PLANT (WTP)

Laboratory Fees	Akalinity	Hardness	pH	Specific Conductance	Total Coliform & E. coli. P/A	Total Coliform & E. coli. MPN	Turbidity	HPC	Total Coliform & E. coli.	
									MPN	HPC
2008	\$ 15	\$ 21	\$ 7	\$ 7	\$ 7	\$ 21	\$ 25	\$ 7	\$ 28	

WASTEWATER TREATMENT PLANT (WWTP)

Industrial Discharge Permit Application Fees

(Based upon Wastewater Discharge Quantity)

Gallons per Day (GPD)

	0 to 10,000	10,001 to 25,000	25,001 to 100,000	Over 100,000	+PLUS	per 100,000 GPD, or portion thereof
2008	\$ 87	\$ 140	\$ 180	\$ 180	\$ 54	

Hauled Waste Disposal Fees

0 to 100 Gallons

2008 No Charge Disposal of wastes from holding tanks of privately owned recreational vehicles must be made directly from the RV, and must not exceed 100 gallons.

Over 100 Gallons

2008 \$ 19 per 1,000 gallons, or portion thereof, for hauled waste or all other discharges.

Additional Fees

Additional fees may be charged for necessary testing prior to acceptance of wastes classified as non-domestic or industrial in nature.

RESOLUTION 9708
Attachment 1

**2008 Water, Sewer, and Storm Drain
Rate Review Calendar**

Staff Meeting Analysis
Monday, OCTOBER 8, 2007

Staff Presentation to City Manager
Monday, OCTOBER 22, 2007

Presentation of Rate Analysis
Tuesday, DECEMBER 4, 2007
Commission Work Session

Set Public Hearing
Tuesday, DECEMBER 4 2007
City Commission Meeting

Publish Public Notices
1st Notice – Friday, DECEMBER 28, 2007
2nd Notice – Friday, JANUARY 4, 2008
3rd Notice – Friday, JANUARY 11, 2008

Mailed Notices
To the various utility billing districts during the period of
DECEMBER 26, 2007 THROUGH JANUARY 7, 2008

Public Hearing
Tuesday, JANUARY 22, 2008
City Commission Meeting

Commission Final Action
Tuesday, JANUARY 22, 2008
City Commission Meeting

Water, Sewer, and Storm Drain Rates Take Effect
At least ten days after final approval
FEBRUARY 5, 2008

RESOLUTION 9708
Attachment 2

**WATER, SEWER, STORM DRAIN FUNDS
REVENUE RATE INCREASE HISTORY**

UTILITY SERVICE RATE AND FEE INCREASES			
	Water (%)	Sewer (%)	Storm Drain (%)
1998	4.0	3.0	na
1999	0.0	0.0	na
2000	2.7	4.75	na
2001	3.0	8.1	na
2002	2.5	8.1	10.0
2003	2.0	8.1	10.0
2004	2.0	2.0	8.0
2005	2.0	1.0	1.0
2006	0.0	0.0	0.0
2007	5.0	5.0	0.0

For the 10 year period 1998-2007, the average rate increase is:

Water(%)	Sewer(%)	Storm Drain(%)
2.32	4.00	2.9

Rate Change Comparison

It is City practice to constantly keep up to date with regular, incremental rate changes while keeping in mind the difficulty that many customers have in making ends meet. Postponing rates often create a sudden return to reality when rates can no longer be ignored, and large rate increases are suddenly imposed.

	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07
(in %)								
Special Assessments:								
Street Districts	0.0	10.0	0.0	3.2	10.0	10.0	10.0	10.0
Boulevard Districts	0.0	5.0	0.0	0.0	0.0	0.0	0.0	0.0
Sanitation								
Residential	0.0	0.0	0.0	3.0	0.0	3.0	3.0	4.5
Commercial	0.0	3.0	3.0	0.0	3.0	3.0	3.0	4.5

Other Charges and Fees Included

The water rate change also applies to Fire Hydrant charges. Fire hydrants are integral to the water system as a whole, and included as a monthly charge within the rate structure rather than a once a year special assessment. These water and sewer rate changes include water and sewer fees. Unlike other rates, fees do not have any impact upon monthly water and sewer bills. They are one time charges, such as; construction, repair or replacement of water services, fire lines, and sewer, water lab services, or repair of business fire lines.

Capital Improvement Program

The City maintains meticulous records, schedules and monitoring of the water and sewer systems. Theoretically, repair and replacement should be done according to the Capital Improvement Program (CIP). While the CIP is a useful benchmark and indicator of

priorities, it is not the only consideration. The City combines the CIP with maintenance records and current condition analysis to determine current financing needs.

Rate Change Notice

A Public Notice for utility rate changes must be published. 69-7-111, M.C.A. requires a municipal rate hearing whenever municipal utility rates, charges, or classifications are to be changed, with procedures as follows:

1. Publish notice of hearing in a newspaper
 - a. First publication no more than 28 days prior to the public hearing
 - b. Publish at least 3 times at least 6 days apart
 - c. Last publication no less than 3 days prior to the hearing
2. Mail a notice of hearing to each utility customer and the Montana Consumer Counsel
 - a. At least 7 and no more than 30 days prior to hearing
 - b. Include an estimate of increase in the customer's average bill
3. Published Notice must contain
 - a. Date, time, and place of the hearing
 - b. Brief statement of the proposed action
 - c. Address and telephone number to contact for further information

Resolution 9226, Resolution 9227, Resolution 9334 Provides Terms and Conditions relating to the Water & Sewer Revenue Bonds, including:

Section 10.10 Rates and Charges

. . .The City covenants and agrees that the rates, charges and rentals to be charged to all users shall be maintained and shall be revised whenever and as often as may be necessary, according to schedules such that (i) the Revenues for each Fiscal Year will be at least sufficient to pay the principal and interest on all Bonds to become due in such Fiscal Year, to establish and maintain the Reserve Requirement, to pay promptly the reasonable and current Operating Expenses and to provide reserves for the repair and replacement of the System, and (ii) the Net Revenues for each Fiscal year will be at least equal to 125% of the maximum Principal and Interest Requirements for all future Fiscal Years. In the event the City does not demonstrate full compliance with the rate covenant prescribed herein for any Fiscal Year, the City shall retain a nationally recognized independent Consultant within 60 days of the day of the applicable Fiscal Year for the purpose of reviewing the existing rates and charges and making Bondholder recommendations for compliance with the covenant. The City covenants and agrees to implement the recommended rate changes and other recommendations of such Consultant within six months of the delivery of the applicable Consultants report.

CITY OF GREAT FALLS, MONTANA
Resolution No 9708, Attachment 3 pg2
2007 VS 2008 UTILITY FEES

Water Service Line Size (inches)

		Water Service Line Size (inches)										
		(3/4") 0.75	1.00	1.25	1.50	2.00	3.00	4.00	6.00	8.00	10.00	12.00
CONNECTION FEES												
WATER												
	2007	\$ 289	\$ 321	\$ -	\$ 391	\$ 423	\$ 637	\$ 819	\$ 1,269	\$ 2,121	\$ -	\$ 4,252
	2008	\$ 304	\$ 337	\$ -	\$ 410	\$ 444	\$ 669	\$ 860	\$ 1,333	\$ 2,227	\$ -	\$ 4,464

Fee shall be ADDED TO: General Plumbing Permit for extension to new buildings; or, Inspection Permits for larger diameter pipe.

SEWER

Single Family Residential

2007	\$ 159
2008	\$ 167

Commercial & Multi Family Units

2007	\$ 159	\$ 297	\$ -	\$ 583	\$ 1,225	\$ 2,333	\$ 4,205	\$ 6,077	\$ 9,322	\$ 12,890	\$ 17,933
2008	\$ 167	\$ 312	\$ -	\$ 612	\$ 1,286	\$ 2,450	\$ 4,415	\$ 6,380	\$ 9,788	\$ 13,535	\$ 18,830

Fee is IN ADDITION TO the Inspection Fee, and is for connection of service line to sewer line, which does not include installation. There is no fee for STORM SEWER connection.

Where one meter serves one multi-purpose development, either mobile home, multiple family housing units, local business, commercial, industrial, residential use zones or variance, the connection charge will be based upon the size of the water tap. If there is no water tap, the charge will be based upon the the sewage being discharged on the same ratio as for other sewer connections.

TAPPING FEES (Water)

Fee for any new or replacement tap being made on a water main.

1 to 5 taps	Fee per Tap:	2007	\$ 311	\$ 327	\$ -	\$ 493	\$ 621
		2008	\$ 326	\$ 343	\$ -	\$ 517	\$ 652

6 or more taps	Fee per Tap:	2007	\$ 278	\$ 305	\$ -	\$ 493	\$ 621
		2008	\$ 292	\$ 320	\$ -	\$ 517	\$ 652

INCLUDED in this fee is installation of a corporation stop on the main, and furnishing of corporation stop, curb stop and box. NOT INCLUDED, and to be BILLED EXTRA, is the cost of saddles, clamps and other extraneous fitting required for the tap.

INSPECTION FEES

Fees for inspection and approval of all water service work and all sewer connections under Title 13 OCCGF.

WATER	Flat fee of :	2007	\$ 100	PLUS costs for test taps, testing equipment, overtime, and chemicals.
		2008	\$ 100	PLUS costs for test taps, testing equipment, overtime, and chemicals.

SEWER	Flat fee of :	2007	\$ 100
		2008	\$ 100

RIGHT OF WAY PERMIT

(Water & Sewer)

Flat fee of :	2007	\$ 35
	2008	\$ 35

Fee for the Permit to be issued for any excavation in a dedicated right-of-way. (Formerly the Street Opening Permit.)

FIRE LINES

NEW	Flat fee of :	2007	\$ 100
		2008	\$ 100

REPAIR	Flat fee of :	2007	\$ 100
		2008	\$ 100

LICENCES -- DRAINLAYER

(Sewer)

Flat fee of :	2007	\$ 60
	2008	\$ 60

Fee for License to excavate, construct, or connect and sewer, drain or cesspool.

TURN ON/OFF

Flat fee of :	2007	\$ 35	After Hours	2007	\$ 60
	2008	\$ 35		2008	\$ 60

WATER TREATMENT PLANT (WTP)

Laboratory Fees	Alkalinity	Hardness	pH	Specific Conductance	Total Coliform & E. coli, P/A	Total Coliform & E. coli.			HPC
						MPN	Turbidity	MPN	
2007	\$ 15	\$ 21	\$ 7	\$ 7	\$ 19	\$ 25	\$ 7	\$ 28	
2008	\$ 15	\$ 21	\$ 7	\$ 7	\$ 21	\$ 25	\$ 7	\$ 28	

WASTEWATER TREATMENT PLANT (WWTP)

Industrial Discharge Permit Application Fees

(Based upon Wastewater Discharge Quantity)

Gallons per Day (GPD)						per 100,000 GPD, or portion thereof
0 to 10,000	10,001 to 25,000	25,001 to 100,000	Over 100,000	+PLUS		
2007	\$ 83	\$ 133	\$ 171	\$ 171	\$ 51	
2008	\$ 87	\$ 140	\$ 180	\$ 180	\$ 54	

Hauled Waste Disposal Fees

0 to 100 Gallons
 2007 No Charge Disposal of wastes from holding tanks of privately owned recreational vehicles must be
 2008 No Charge Disposal of wastes from holding tanks of privately owned recreational vehicles must be

Over 100 Gallons
 2007 \$ 18 per 1,000 gallons, or portion thereof, for hauled waste or all other discharges.
 2008 \$ 19 per 1,000 gallons, or portion thereof, for hauled waste or all other discharges.

Additional Fees

Additional fees may be charged for necessary testing prior to acceptance of wastes classified as non-domestic or industrial in nature.

CITY OF GREAT FALLS, MONTANA
Resolution No 9708, Attachment 3 pg3
2007 VS 2008 STORM DRAIN RATES

	Rates 2007		PROPOSED Rates 2008
	(per month)	% Change	(per month)
A Single Family			
Base Rate	\$ 1.3198680000	0.00%	\$ 1.3198680000
Rate per Square Foot	\$ 0.0003959604	0.00%	\$ 0.0003959604
Sq Ft Cap	15,000	na	15,000
B Multiple Resid.			
Base Rate	\$ 1.3198680000	0.00%	\$ 1.3198680000
Rate per Square Foot	\$ 0.0004949505	0.00%	\$ 0.0004949505
Sq Ft Cap	0	na	0
C Commercial ++			
Base Rate	\$ 1.3198680000	0.00%	\$ 1.3198680000
Rate per Square Foot	\$ 0.0006434357	0.00%	\$ 0.0006434357
Sq Ft Cap	0	na	0
D Heavy Commercial			
Base Rate	\$ 1.3198680000	0.00%	\$ 1.3198680000
Rate per Square Foot	\$ 0.0008909109	0.00%	\$ 0.0008909109
Sq Ft Cap	0	na	0
E Unimproved Areas			
Base Rate	\$ 1.3198680000	0.00%	\$ 1.3198680000
Rate per Square Foot	\$ 0.0000989901	0.00%	\$ 0.0000989901
Sq Ft Cap	10,000	na	10,000

RESOLUTION 9708
Attachment 4

PUBLIC NOTICE
PUBLIC HEARING ON RESOLUTION 9708
TO ESTABLISH WATER, SEWER, AND STORM DRAIN RATES AND FEES

The City of Great Falls is proposing to raise water and sewer utility service rates and fees, February 5, 2008. The increases are necessary to meet bonded debt coverage, to keep up with inflation, to cover the cost of service, and provide for necessary capital improvements. A public hearing will be held on January 4, 2008 at 7:00 p.m. in the Civic Center Commission Chambers.

Residential customers typically have a 1" meter and use 1250 cubic feet of water per month with a winter average of 573 cubic feet of water per month. A typical residential customer would see rate increases as follows:

A water bill increase from \$21.37 to \$22.47 per month
A sewer bill increase from \$13.44 to \$14.12 per month, and
A storm drain bill will not increase.
These monthly bills include base service charges of \$4.65 for water, \$1.78 for fire hydrant, \$5.40 for sewer, and \$1.32 for storm drain

The metered water rates would increase:

From \$0.81 to \$0.85 per hundred cubic feet for the first 300 cubic feet per month, and from \$1.35 to \$1.42 per hundred cubic feet for all water over 300 cubic feet per month.

The sewer rates would increase:

From \$1.10 to \$1.16 per hundred cubic feet for the first 300 cubic feet per month, and from \$1.83 to \$1.92 per hundred cubic feet for all water over 300 cubic feet per month.

The storm drain rates would not increase.

For further information contact a Utilities Customer Service Representative at 727-7660 or in Room 104 of the Civic Center, 8:00 am to 5:00pm

AGENDA REPORT

DATE January 22, 2008

ITEM Animal Shelter Report Special Examiner Appointment

INITIATED BY City Commission

ACTION REQUESTED Appoint Special Examiner

PREPARED & PRESENTED BY John Lawton, City Manager

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RECOMMENDATION:

Staff recommends the City Commission appoint a Special Examiner to conduct further investigation into the report prepared by the Great Falls Police Department concerning allegations regarding the Animal Shelter operations.

MOTION:

“I move the City Commission appoint _____ as the Special Examiner to investigate the report on Animal Shelter operations.”

SYNOPSIS:

Staff is recommending the appointment of a Special Examiner to conduct the continuing investigation of allegations that have been made by current and former employees of the Great Falls Animal Shelter. It is recommended that the Examiner have background in conducting investigative hearings.

Proposed appointees include: Brendon J. Rohan with Poore, Roth & Robinson, PC, of Butte, Montana; Elizabeth Baker with Hughes, Kellner, Sullivan & Alke, PLLP, of Helena, Montana; and Brian J. Kahn, Attorney and mediator, of Helena, Montana.

BACKGROUND:

In December of 2007, one current and one former employee of the City of Great Falls Animal Shelter came forward through a press conference making allegations concerning animal shelter operations and treatment of animals. As a result of those allegations, the Police Department began an internal investigation of those charges. The final report was completed on January 17, 2008.

City staff is recommending that the City Commission hire a Special Examiner to further investigate the allegations, using the Police Department report as the basis for further investigation. The Special Examiner’s report will offer analysis of the adequacy, fairness, and appropriateness of the Police Department report.

The City Charter authorizes the City Commission, or its designee, to investigate any operation of the City. The Special Examiner will have the Commission’s power to subpoena witnesses and receive sworn testimony to test the accuracy or complete the findings of the report. The Special Examiner will receive direction from and report to the City Commission.

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: City Commissioners present: Dona Stebbins, Bill Bronson, Mary Jolley, John Rosenbaum and Bill Beecher. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Fiscal Services, Library, Planning and Public Works, Acting Director of Park and Recreation, the Police Chief, Fire Chief, and City Clerk.

INTRODUCTION: Cub Scout Pack 26.

NEIGHBORHOOD COUNCILS

Neighborhood Council Members Swearing In Ceremony.

1. Swearing In Ceremony of Neighborhood Council members.
2. There were no miscellaneous reports or announcements from neighborhood council representatives.

PUBLIC HEARINGS

Res. 9715 and Ord. 2995, annexation and zoning for Segment of Burlington Northern and Santa Fe Railroad Right-of-Way Along 14th Street Southwest. Adopted.

- 3A. **RESOLUTION 9715 ANNEXES A SEGMENT OF BURLINGTON NORTHERN AND SANTA FE RAILROAD RIGHT-OF-WAY ALONG 14TH STREET SOUTHWEST.**
- 3B. **ORDINANCE 2995 ASSIGNS ZONING CLASSIFICATION OF C-2 GENERAL COMMERCIAL DISTRICT TO THE UNINCORPORATED SEGMENT OF BNSF RIGHT-OF-WAY.**

Planning Director Ben Rangel reported that a segment of Burlington Northern and Santa Fe Railroad right of way located along 14th Street S.W. between Interstate Spur 315 and Park Garden Road has never been annexed into the City. This right of way is contiguous to the City limits. State statute allows cities to annex land, if the land is adjacent, including any lands used for railroad purposes. This action will also address the Commission's interest to annex unincorporated enclaves into the City.

On December 4th, the Commission set public hearing for this evening. After conducting a joint public hearing, Mr. Rangel requested the Commission adopt Resolution 9715, which would annex the right of way and to adopt Ordinance 2995, which would assign C-2 General commercial zoning.

The City Planning Board/Zoning Commission unanimously recommends Commission approval.

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9715 and Ordinance 2995.

Mayor Stebbins declared the public hearing closed and asked for the direction of the City Commission.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9715.

Motion carried 5-0.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 2995.

Motion carried 5-0.

Res. 9721, Building, Plumbing, Electrical and Mechanical Permit Fee Increase. Adopted.

4. RESOLUTION 9721, BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL PERMIT FEE INCREASE.

Community Development Director Mike Rattray reported that approval of Resolution 9721 will increase permit fees by an average of 3% effective March 1, 2008. At the City Commission’s request, fee increases have been brought forth annually to avoid large fee increases.

Mayor Stebbins declared the public hearing open. No one spoke in favor of or opposition to Resolution 9721.

Mayor Stebbins declared the public hearing closed and asked for the direction of the City Commission.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9721.

Motion carried 4-1. (Commissioner Jolley dissenting.)

Commissioner Rosenbaum commented that, even with the fee increase, Great Falls’ fees are significantly lower than other major cities, and the inspections are performed with less staff.

Ord. 2993, Amending OCCGF Title 5.3.7.720 Special Business License and Create OCCGF 8.9 Emergency Medical Services. Adopted.

5. ORDINANCE 2993, AMENDING OCCGF TITLE 5.3.7.720 SPECIAL BUSINESS LICENSE AND CREATE OCCGF 8.9 EMERGENCY MEDICAL SERVICES.

Fire Chief Randy McCamley reported that pre-hospital emergency medical care is a critical public safety service essential in support of community health, security and prosperity. Ordinance 2993 is a key document which will help the City of Great Falls begin making improvements to how its EMS system is managed and operated. Areas for improvement were

identified during a comprehensive system evaluation performed by the Abaris Group in 2006. Over the course of the last several months, City staff and the incumbent ambulance company owners have worked together diligently to develop this ordinance.

Chief McCamley introduced Ken Riddle, lead consultant on developing this ordinance. Mr. Riddle reported that this process started two years ago. Mr. Riddle stated one thing that was lacking is that the City had components of a system, but not really a system. He was asked to draft an ordinance that would bring those components together, and he believes the new ordinance will unify those components. The Fire Department, the ambulance company and the hospital will work together in participation as a partnership to enhance the delivery of patient care and improve the system. The ordinance will also allow the Commission to establish an EMS advisory board, which is representative of all the partners in the community that have a stake in providing emergency medical services. Mr. Riddle stated that it will also give the community the ability to review the quality of care itself, and it allows the City to negotiate a contract with the current provider.

Mayor Stebbins declared the public hearing open. Those speaking in favor of Ordinance 2993 were:

Dr. Rick Vega, 482 Flood Road, stated that he has been the medical director in this community for eight years. His position is that of frustration in seeing the present system deteriorate and become unsafe. At times, resources do not match the task, and he believes that is because there are no ordinances or consequences. He stated passing this ordinance benefits the families of this community and is a step forward. The performance contract will require attention to detail so that no one falls through the cracks. As a citizen and medical director, Mr. Vega encouraged the passage of this ordinance to protect the people of this community.

David VanSon, 2404 1st Avenue North, stated that he is the President of the Great Falls Fire Fighters International Association of Local No. 8. He represents 61 union members that work for Great Falls Fire Rescue that provide emergency care to the citizens of Great Falls 24 hours a day, seven days per week. The quality of patient care delivered to all that reside in Great Falls directly relates to the passing of this ordinance. As president of Local 8, Mr. VanSon stated that he shows the utmost support of the passing of this ordinance. He stated that what he has not heard consistently is what is best for the patient. Quality patient care is what the citizens of Great Falls need and that is what they will receive with the adoption of this ordinance. He said that some people have questioned why Great Falls has to be the first. He stated that Great Falls is not inventing the wheel. Actually, Great Falls is behind the curve in this system when it comes to performance based contracts with ambulance providers. Mr. VanSon concluded, "Why shouldn't Great Falls be the first in Montana?"

Ed Day, 5400 5th Avenue South, stated that he has been involved in EMS for the past 24 years in this community. The citizens and visitors to Great Falls deserve a stable platform. Mr. Day stated that in his 24 years of service he has witnessed four changes in ownership of the ambulance service, which averages to a new service provider every six years. Mr. Day concluded that he is raising two children in this community and has many elderly relatives. He believes his family, as well as the other citizens and visitors to the area, deserve a reliable and safe platform in which they can rely on pre-hospital care providers in a trustworthy manner.

Jim Kessler, 4432 3rd Avenue North, stated that he is a registered nurse in the emergency room. For the last 30 years he has been actively involved in EMS in Great Falls and Cascade County. Mr. Kessler supports the passing of this ordinance stating the City must have oversight of a private business when it affects public safety.

Tom Steinberg, Fire Chief for the City of Missoula, congratulated Great Falls Fire and Rescue and the City of Great Falls for being a leader in this state in working to adopt an ordinance that will strengthen and ensure a safe and stable EMS system in the city and community.

Ellen Stinar, 514 9th Avenue South, stated that she is in favor of this ordinance. However, she said she was appalled at what she had heard this evening. She explained that there were times when the ambulance service was taxed, but that was not a normal procedure. She disagreed with the statements regarding deteriorating treatment. Ms. Stinar said she and her staff have been trained in new treatments for patients. She said she and the ambulance company are here to work as a team and that patient care is of the utmost importance.

Dave Kuhn, Great Falls Emergency Services, stated that he appreciates the support in working together to make this ordinance the best it can be. Mr. Kuhn said "it is an ordinance we can both live with." Mr. Kuhn stated that he has concerns about the contract. He asked that it be fair and not over-reaching or punitive. He asked that it be a long term contract so that he can look into the future and do some planning for his company.

No one spoke in opposition to Ordinance 2993.

Mayor Stebbins declared the public hearing closed and asked for the direction of the City Commission.

Commissioner Beecher moved, seconded by Commissioners Bronson and Rosenbaum, that the City Commission adopt Ordinance 2993 and that Great Falls Emergency Services and Montana Community Ambulance are appointed the interim provider of emergency services during the negotiation of the performance contract with Great Falls Emergency Services.

Commissioner Jolley stated that tonight was the first time she heard that there have been dangerous, embarrassing, unsafe or unstable situations. A study did not show that they were not doing their job properly. The study said there was a potential for things to go wrong. The second study proposed the ordinance. That study also stated that conditions were improving. The Commissioners will next be shown the contract. Someone, as yet unknown, will be writing a lot of rules and regulations, as yet unknown. Two months of operating expenses will be put forth by the private company and that amount is unknown too. Once signed, there will be penalties and the penalties will go to pay for the new person who will be overseeing the rules and regulations. Half of that person's salary will be paid by the Fire Department and half by the private ambulance company, as yet to be determined. Commissioner Jolley stated she thinks there are too many yet to be determined things by a yet to be determined person. She believes the intent is to play "gotcha."

Commissioner Beecher stated that an ordinance of this nature is needed, not only in this type of arena, but any situation where you have multiple stakeholders. There needs to be an overall umbrella as to what would govern the operation of whatever system it is, and what performances are acceptable under that system. The original intent of the previous Commission was to get some type of a structure in place that would ensure the entities were acting in concert with one another and through common cooperation for delivery of that service. Another point is that nobody in the previous Commission had any interest in being in that service. It has always been understood that the Commission was in favor of a private provider delivering the ambulance service. The Commission wanted this ordinance to ensure that the quality was there and that people were held accountable if there was a slip up. He stated that the Commission will be looking at the contract as it is developed to ensure that it is fair, not punitive, and it accomplishes what the original intent of this whole exercise was.

Commissioner Bronson stated that he appreciates Commissioner Jolley's comments, but he supports this ordinance. He has been a practicing attorney for over 25 years. During the course of that time he has represented two private ambulance companies. Commissioner Bronson stated that it was his pleasure to interact with paramedics and EMT's. He has a sense of concerns that both sides have. Commissioner Bronson stated that what is being done here tonight is not new; it has been done in other parts of the country for many years. Commissioner Bronson stated that he can think of no better reason for this commission to act on a proposal like this than to protect the health and welfare of the citizens of this community. It is his belief that the only way to have any dialog about resolving issues is to have this ordinance in place so that we have performance contracts, standards, and a method of conflict resolution to resolve differences with the end goal in mind to protect the health and safety of people of this community. Commissioner Bronson commended all parties in working

together to craft this ordinance.

Commissioner Rosenbaum thanked City staff and the EMS provider for the level of trust and cooperation they had in putting this ordinance together and getting it to the point that it is. Commissioner Rosenbaum commented that nothing is really broken here; it is being dressed up and made more secure and better for our community. Commissioner Rosenbaum stated that all the people involved in drafting the contract will work together and bring a good product out of it.

Mayor Stebbins thanked City staff and Great Falls EMS for working together to craft this ordinance.

Motion carried 4-1. (Commissioner Jolley dissenting.)

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

Consent Agenda. Approved Items 6 – 10.

CONSENT AGENDA

6. Minutes, December 18, 2007, Commission meeting.
7. Total Expenditures of \$3,094,847 for the period of December 11 – 28, 2007, to include claims over \$5,000, in the amount of \$2,915,158.
8. Contracts list.
9. Lien Release list.
10. Set public hearing for January 22, 2008, on sale of city-owned property located in Sand Hills Park.
11. Reaffirm the CDGB Policies and Citizen Participation Plan and approve the 2008-2009 Community Development Block Grant Funding Priorities.
12. Approve request for the City to co-sponsor the North-Central Montana MathCounts Chapter Competition by waiving the rental rates for use of the Missouri and Rainbow rooms.

Commissioner Jolley asked that Items 11 and 12 be removed from the Consent Agenda for further consideration.

Commissioner Rosenbaum moved, seconded by Commissioner Bronson, that the City Commission approve the Consent Agenda, except for Items 11 and 12.

Motion carried 5-0.

Community Development Policies and Citizen Participation Plan reaffirmed and the 2008-2009 CDBG funding priorities approved.

11. 2008/2009 COMMUNITY DEVELOPMENT BLOCK GRANT POLICIES AND FUNDING PRIORITIES.

Commissioner Jolley inquired about the difference in the percentage allotment – stating something was going to Community Development.

Community Development Director Mike Rattray responded that every year the City Commission, by percentage, allocates how the Block Grant funds will be allocated. This year’s recommendation calls for 29% of the total funds to be allocated for public facilities improvements and handicapped accessibility. Commissioner Jolley interrupted him and stated that what she read was there was a difference in the allocation this year from last year. She wondered what the difference was. Mr. Rattray answered that the biggest difference between last year and this year is last year there was no allocation for economic development. This year’s allocation has 11% and that 11% was taken partially from public improvements and partially from housing.

City co-sponsor the North-Central Montana MathCounts Chapter competition. Approved.

12. USE OF MISSOURI ROOM WITHOUT CHARGE FOR MATH COMPETITION.

Commissioner Jolley stated that this item was not on the agenda during the agenda meeting.

Assistant City Manager Cheryl Patton responded that she knew about the request at the agenda meeting. However, the written request came in after. It was added to the agenda, and the request did go out in the Friday packet.

Commissioner Bronson moved, seconded by Commissioner Rosenbaum, that the City Commission reaffirm the Community Development Policies and Citizen Participation Plan and approve the 2008-2009 CDBG funding priorities.

Motion carried 5-0.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City co-sponsor the North-Central Montana MathCounts Chapter competition.

Motion carried 5-0.

Commissioner Rosenbaum commented on Item 12 that the City has a policy for co-sponsoring events with children.

BOARDS & COMMISSIONS

Preliminary Plat, Cottage Grove Addition Phase 3. Approved.

13. PRELIMINARY PLAT, COTTAGE GROVE ADDITION PHASE 3 LOCATED ALONG THE NORTHERLY EXTENSION OF 50TH STREET NORTH FROM 7TH AVENUE NORTH.

Planning Director Ben Rangel reported that Discovery Meadows, Inc. is the

property owner and developer of this subdivision. Mr. Rangel requested the Commission approve the Preliminary Plat and Findings of Fact for Cottage Grove Addition, Phase 3. The subdivision is located in East Great Falls, near the soccer park. Phase 3 consists of 28 single family residential lots.

The City Planning Board unanimously recommends Commission approval.

In the future, and as the developer is ready to proceed, the Commission will be requested to approve the final plat of Phase 3, its annexation and the assignment of City zoning.

Commissioner Beecher moved, seconded by Commissioner Bronson, that the City Commission approve the Preliminary Plat of Cottage Grove Addition Phase 3, and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.

Motion carried 5-0.

**Preliminary Plat,
Bootlegger Addition,
Phases I and II.
Approved.**

14. PRELIMINARY PLAT, BOOTLEGGER ADDITION, PHASES I AND II, CONSISTING OF 51 PROPOSED SINGLE FAMILY RESIDENTIAL LOTS LOCATED BETWEEN NORTHVIEW ADDITION AND EAGLE'S CROSSING ADDITION.

McIntyre Enterprises and Murphy Real Estate are the property owners and developers of this subdivision. The Commission is requested to approve the Preliminary Plat and Findings of Fact for Bootlegger Addition, Phases I & II. The subdivision is located in North Great Falls, just west of Bootlegger Trail and between Northview Addition and Eagle's Crossing Addition. The two phases consist of 51 single family residential lots.

The City Planning Board unanimously recommends Commissioner approval.

When the developers are ready to proceed, the Commission will be requested to approve the final plat of Phases I & II, their annexation and the assignment of City zoning.

Commissioner Jolley moved, seconded by Commissioner Beecher, that the City Commission approve the Preliminary Plat of Bootlegger Addition, Phases I and II, and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.

Motion carried 5-0.

Preliminary Plat, West Ridge Addition, Phases V and VI. Approved.

15. PRELIMINARY PLAT, WEST RIDGE ADDITION, PHASES V AND VI, LOCATED ALONG THE WEST BOUNDARY OF 2ND STREET NORTHEAST BETWEEN 37TH AND 40TH AVENUES NORTHEAST.

S&L Development is the property owner and developer of this subdivision. The Commission is requested to approve the Preliminary Plat and Findings of Fact for West Ridge Addition, Phases V and VI. The subdivision is located in North Great Falls, just north of the former Skyline Education Center. The two phases consist of 48 single family residential lots.

The City Planning Board unanimously recommends Commission approval.

When the developers are ready to proceed, the Commission will be requested to approve the final plat of Phases V & VI, their annexation and the assignment of City zoning.

Commissioner Jolley moved, seconded by Commissioner Bronson, that the City Commission approve the Preliminary Plat of West Ridge Addition, Phases V and VI, and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.

Motion carried 5-0.

Edward Larry Gomoll reappointed and Carol Cassie and Joe Fontana appointed to the Mansfield Center for the Performing Arts Advisory Board.

16. APPOINTMENTS, MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission reappoint Edward Larry Gomoll and appoint Carol Cassie and Joe Fontana to the Mansfield Center for the Performing Arts Advisory Board for three year terms through December 31, 2010.

Motion carried 5-0.

Wyman Taylor appointed to the Great Falls Planning Advisory Board.

17. APPOINTMENT, GREAT FALLS PLANNING ADVISORY BOARD.

Commissioner Bronson moved, seconded by Commissioners Rosenbaum and Beecher, that the City Commission appoint Wyman Taylor to the Great Falls Planning Advisory Board to fill the remainder of a three year term through December 31, 2008.

Motion carried 5-0.

**James Morin
reappointed and Owen
Robinson appointed to
the Regional Airport
Authority Board.**

**18. APPOINTMENTS, REGIONAL AIRPORT AUTHORITY
BOARD.**

Commissioner Jolley moved, seconded by Commissioners Rosenbaum and Beecher, that the City Commission reappoint James Morin and appoint Owen Robinson to the Regional Airport Authority Board for three year terms through December 31, 2010.

Motion carried 5-0.

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

CITY MANAGER

**Marty Basta appointed
Park and Recreation
Director.**

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager John Lawton announced that today he appointed Marty Basta as Park and Recreation Director. Mr. Basta has been the interim director for approximately three months and has done a great job.

CITY COMMISSION

**Bill Bronson appointed
Mayor Pro Tempore.**

21. APPOINTMENT, MAYOR PRO TEMPORE.

The City Charter states that the Mayor Pro Tempore shall serve in the absence of the elected Mayor. The City Commissioners shall elect from among themselves a Mayor Pro Tempore no later than one month after taking office. The Mayor Pro Tempore shall serve a term of two years or until the City Commission has held an election. Any vacancy in this office shall be filled by a special election among the remaining City Commissioners. Any person elected to fill such a vacancy shall serve the remaining portion of the term which the vacancy occurred.

Mayor Stebbins moved, seconded by Commissioner Rosenbaum, that the City Commission appoint Commissioner Bill Bronson to serve as Mayor Pro Tempore for a two year term effective immediately.

Motion carried 5-0.

22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Civil Liberty.

Commissioner Jolley stated that she looked civil liberty up in the dictionary because she is concerned about the five minute speech limitation at the public comment period of the meeting. Commissioner Jolley read definitions of the words civil liberty and civil.

PETITIONS AND COMMUNICATIONS**23. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Stebbins opened the meeting to Petitions and Communications.

**Request for Resignations.
Animal Shelter.**

23A. Ric Valois, 1606 Adams Boulevard, stated that he would like to preface his statements concerning resignation or recall that the new commissioners, Mary Jolley and Bill Bronson, are not enjoined. Mr. Valois called for the resignations of Mayor Dona Stebbins, Commissioners John Rosenbaum and Bill Beecher, Chief of Police Corky Grove, City Manager John Lawton and Shelter Director, Jamie Bennet, to be on the desk of Commissioners Mary Jolley and Bill Bronson by Wednesday, January 9, 2008. In the event this call for resignation is ignored, Mr. Valois stated that he would call for a legal public recall with signature gathering to commence this week. Mr. Valois also requested that the immediate care and responsibility of the existing shelter to be placed back in the domain of the Humane Society of Cascade County with a full team of citizen oversight. Mr. Valois called for HSCC to install Jason Dern and Amy Lowe to positions of authority of the reacquired shelter. He called for the return of all funds, donations, and financial resources raised by the City of Great Falls, Spay of the Falls, and the Animal Foundation of Great Falls, to HSCC immediately. Mr. Valois called for an immediate opening of the financial books of the City of Great Falls, Spay of the Falls, Animal Foundation of Great Falls and the City of Great Falls Police Department to be conducted and supervised by an independent specialist and citizens' oversight approved by the HSCC and all affected parties in an open public forum. In the event of procrastination on the part of the City of Great Falls, Animal Foundation, Police Department and Spay of the Falls to meet this criteria of an open public audit, Mr. Valois said he would then demand an investigative audit be conducted of the same financial books be enjoined. The U.S. Department of Internal Revenue will be given notice of this public audit. Mr. Valois called for the creation of a permanent independent citizens' oversight group to oversee local government as needs arise to ensure promises made will be promises kept. Mr. Valois concluded that the contempt and arrogance displayed concerning the animal shelter crisis, and lack of compassion for the animals in that shelter, have betrayed the false intentions to do good, making their official positions untenable.

**Owen Robinson – Great
Falls Airport Authority.**

23B. Loren Smith, 1500 51st Street South, congratulated the Commission on appointing Owen Robinson to the Great Falls Airport Authority. Mr. Smith stated that he is a pilot and his business relies on the airport.

**Owen Robinson – Great
Falls Airport Authority.**

23C. Lou Ronnau, 1318 1st Street South, President of Great Falls Hanger of the Montana Pilots Association and also an aircraft owner and user of the Great Falls International Airport. Mr. Ronnau also congratulated the Commission on appointing Owen Robinson.

Owen Robinson – Great Falls Airport Authority.

23D. J.C. Kantorowics, 166 Swift Road, immediate past President of the Great Falls Hanger of the Montana Pilots Association, and also the airport's support network volunteer appointed by the 410,000 member Aircraft Owners and Pilots Association. As a representative of general aviation in Great Falls, Mr. Kantorowics thanked the Commission for appointing Owen Robinson. Mr. Kantorowics stated that both the City and County Commissions have been allowing the Airport Authority to start grading applicants for positions on the Airport Authority. As elected officials, he believes this is a bad situation as they are abrogating their responsibilities to an appointed board in allowing them to choose their own replacement. He believes they should start ignoring the recommendations by the Airport Authority and go on their own judgments on the applications. Further, Mr. Kantorowics stated that the airport needs to be run by people who understand aviation. There is not a single pilot on the Airport Authority Board.

Request for Resignations. Animal Shelter.

23E. Susan Overfield, 251 Gordon Road, **Christian Cornelius**, 1122 4th Avenue Northwest, **Pam Hendrickson**, 1321 5th Avenue North, and **Jody Wright**, 124 Cove Lane, concurred with Mr. Valois' statements regarding the animal shelter.

Cable 7.

23F. John Watts, 304 7th Avenue South, stated that Cable 7 was asked to leave their facility at TV 16 within 60 days. Cable 7 needs a new permanent place. Mr. Watts expressed that Kevin Manthey is the only full time employee and that no one can do the job as good as what he has done. His level of production is going to go down because his equipment is failing and he is relying on volunteers for his crew. Mr. Watts asked for assistance to find Cable 7 a new place and to look at grants to try to raise money to get this taken care of.

Water Rights.

23G. Brett Doney, 3048 Delmar Drive, applauded the City Commission and Manager for looking at the water rights issue. Two of the City's target industries are agriculture and energy, which require large amounts of water. Mr. Doney urged the Commission to move aggressively to acquire new senior water rights at a reasonable price.

Welcome New Commissioners.

23H. Kathleen Gessaman, 1006 36th Avenue N.E., welcomed the new commissioners and stated she enjoyed this meeting and it was nice to hear the discussions tonight.

Ordinance 2993, Additional Plats on the North Side of Great Falls, Coal to Liquid comments.

23I. Ron Gessaman, 1006 36th Avenue N.E., stated that, with regard to Ordinance 2993, it was his impression that the objective was for the Fire Department to take over the ambulance service. Regarding agenda items 14 and 15, Mr. Gessaman stated that the two additions are located on the north side of Great Falls, and other plats were recently approved. By Mr. Gessaman's account, that is 800 new houses in the area. As a resident of that area, he hasn't heard any talk about the new traffic problems that are being created. Mr. Gessaman concluded by responding to Mr. Doney's prior comments as an individual who participated in the start up of the coal to

liquid plant in South Africa and he suggested that Mr. Doney check his facts which are available on the internet.

Animal Shelter.

23J. Eileen Gallagher, 88 Bend View Lane, stated that she attended the town hall meeting regarding the animal shelter and, according to employees who work at the animal shelter and employees who have quit since the City's take over, deplorable actions are now being inflicted upon our City's animals in the name of improvements. Under the new director and the police department, she alleged that animals are being put down earlier than necessary in order to make the shelter look tidier; animals are being euthanized in a manner that makes them cry out in acute pain as the life drains out of them; injured and sick animals are allegedly laying there in agony, neglected or untreated, sometimes for days; and, there are no information cards posted on the cages that answer basic questions about the animal for potential adopters. Calls for help for animals to the police department get bottom priority according to Animal Control Officer Amy Lowe. The mistreatment and neglect of animals is unconscionable and must stop now. Ms. Gallagher stated that she doesn't believe in calling for resignations across the board. She thinks the focus needs to stay on stopping these wrongs for the voiceless friends. Charged with the job as caretakers, she asked what kind of job is the City of Great Falls doing. She asked the Mayor, City Manager and Commissioners to step up and do what is right and hold the new shelter director accountable for changing the policies. She concluded with "let's put humane back into our community."

Congratulation to Mary Jolley. Water rate increase. Parkdale Basketball Court. Havre Highway.

23K. John Hubbard, 615 7th Avenue South, congratulated Mary Jolley. Mr. Hubbard inquired about a water rate hike. Mr. Hubbard stated he tried to contact Mr. Robert Renke with the DEQ/EPA and Chad Anderson regarding the toxic Weissman dumping, and believes he just got the run around. Mr. Hubbard said at Parkdale there is suppose to be a fence around the basketball court. Mr. Hubbard discussed an experience he had with a school bus stopping in the middle of Havre highway and expressed concern that an accident will happen there.

ADJOURNMENT

Adjourn.

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the regular meeting of January 8, 2008, be adjourned at 8:45 p.m.**

Motion carried 5-0.

Mayor Stebbins

City Clerk

ITEM: \$5000 Report
 Budget or Contract Claims in Excess of \$5000

PRESENTED BY: City Controller

ACTION REQUESTED: Approval With Consent Agenda

APPROVAL: _____

TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:

MASTER ACCOUNT CHECK RUN FOR JANUARY 9, 2008	258,186.57
MASTER ACCOUNT CHECK RUN FOR JANUARY 16, 2008	1,079,717.25
MUNICIPAL COURT ACCOUNT CHECK RUN FOR JAN 04, 2008	453.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR JAN 11, 2008	4,017.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR JAN 15, 2008	45,913.32
WIRE TRANSFERS FROM DEC 25-31, 2007	20,006.64
WIRE TRANSFERS FROM JAN 1-7, 2008	38,796.96
WIRE TRANSFERS FROM JAN 7, 2008	130,700.56
WIRE TRANSFERS FROM JAN 8-14, 2008	<u>88,795.61</u>
TOTAL: \$	<u><u>1,666,586.91</u></u>

GENERAL FUND

CITY COMMISSION

CASCADE COUNTY ELECTION DEPT	MUNICIPAL GENERAL ELECTION 11/6/07	36,908.88
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OTHER ADMIN

WATERS CONSULTING GROUP INC	2ND PMT OF CITY MANAGER SEARCH	5,850.00
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POLICE

ENERGY WEST	MONTHLY CHARGES SPLIT	3,080.00
BLUE CROSS/BLUE SHIELD OF MT	HEALTH INS PREMIUM ANIMAL SHELTER	6,388.75
NORTHWESTERN ENERGY	MONTHLY CHARGES SPLIT	568.46

FIRE

ENERGY WEST	MONTHLY CHARGES SPLIT	6,154.87
NORTHWESTERN ENERGY	MONTHLY CHARGES SPLIT	708.51

PARK & RECREATION

ENERGY WEST	MONTHLY CHARGES SPLIT	5,647.36
MONTANA WASTE SYSTEMS	MONTHLY LANDFILL FEES DEC SPLIT	284.92
NORTHWESTERN ENERGY	MONTHLY CHARGES SPLIT	563.22

SPECIAL REVENUE FUND

SUPPORT & INNOVATION

GREAT FALLS BUSINESS NOV TAX DISTRIBUTION 73,790.12

POLICE SPECIAL REVENUE

PAT BRINKMAN INVESTIGATIVE FUNDS 5,000.00

LIBRARY

ENERGY WEST MONTHLY CHARGES SPLIT 4,464.99
 NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 762.78

FEDERAL BLOCK GRANTS

NEIGHBORWORKS DRAWDOWN #1 REVOLVING LOAN 38,919.37

CAPITAL PROJECTS

GENERAL CAPITAL

VERMONT SYSTEMS INC PARK & REC COMPUTER EQUIPMENT 17,456.88

ENTERPRISE FUNDS

WATER

ENERGY WEST MONTHLY CHARGES SPLIT 11,686.31
 NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 7,046.16

SEWER

VEOLIA WATER NORTH AMERICA OPERATION & MAINT. OF WWTP OCT 212,571.08
 VEOLIA WATER NORTH AMERICA MISC MINOR CAPITAL IMPROVEMENTS 12,500.00

STORM DRAIN

DICK ANDERSON CONSTRUCTION PMT #2 GIANT SPRINGS STORM DRAIN 179,633.38
 VICK'S HOUSE MOVING FINAL PMT GIANT SPRINGS STORM DRAIN 16,533.00
 STELLING ENGINEERS INC PMT #4 WEST BANK PARK STORM DRAIN 18,700.17
 LAMMS CORPORATION WHISPERING RIDGE ADDITION PHASE 5 49,078.65

SANITATION

ENERGY WEST MONTHLY CHARGES SPLIT 402.10
 MONTANA WASTE SYSTEMS MONTHLY LANDFILL FEES DEC SPLIT 56,391.69
 I STATE TRUCK CENTER 07 CONDOR TRUCK W/ IMPAC REFUSE BODY 196,288.00
 NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 160.80

ELECTRIC

SME SEPT ENERGY IMBALANCE ADJUST 54,752.44
 SME OCT ENERGY IMBALANCE ADJUST 75,948.12

SAFETY SERVICES

NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 142.12
 ENERGY WEST MONTHLY CHARGES SPLIT 770.00

ENTERPRISE FUNDS (CONTINUED)

GOLF COURSES

ENERGY WEST MONTHLY CHARGES SPLIT 870.40

SWIM POOLS

ENERGY WEST MONTHLY CHARGES SPLIT 5,723.18

NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 377.45

RECREATION

ENERGY WEST MONTHLY CHARGES SPLIT 1,769.03

NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 432.92

CIVIC CENTER EVENTS

CENTRE FOR ALTERNATIVE STRINGS PAY OUT ARTIST FEES (BARRAGE) #08-66 11,660.27

GREAT FALLS HIGH ORCHESTRA TICKET PROCEEDS BARRAGE #08-66 10,824.33

INTERNAL SERVICES FUND

HEALTH & BENEFITS

BLUE CROSS/BLUE SHIELD GROUP & HMO CLAIMS DEC 25-31, 2007 20,006.64

BLUE CROSS/BLUE SHIELD GROUP & HMO CLAIMS JAN 1-7, 2008 38,796.96

BLUE CROSS/BLUE SHIELD OF MT BCBS ADMIN & REINS FEES JAN 40,477.69

BLUE CROSS/BLUE SHIELD GROUP & HMO CLAIMS JAN 8-14, 2008 88,795.61

FISCAL SERVICES

POSTMASTER UTILITIES POSTAGE 14,300.84

CENTRAL GARAGE

MOUNTAIN VIEW CO-OP UNLEADED FUEL 19,002.90

MOUNTAIN VIEW CO-OP UNLEADED & DIESEL FUEL 37,044.60

MT DEPT OF TRANSPORTATION/ HL LOCAL MATCH FOR SWEEPER PURCHASE 23,181.61

PUBLIC WORKS ADMINISTRATION

ENERGY WEST MONTHLY CHARGES SPLIT 10,621.70

NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 815.51

CC FACILITY SERVICES

ENERGY WEST MONTHLY CHARGES SPLIT 6,579.99

NORTHWESTERN ENERGY MONTHLY CHARGES SPLIT 1,685.32

BLANKET PURCHASE ORDERS

MUNICIPAL COURT

CITY OF GREAT FALLS FINES & FORFEITURES 45,078.32

CLAIMS OVER \$5000 TOTAL: \$ 1,477,198.40

**CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION**

**AGENDA: 8
DATE: January 22, 2008**

ITEM: CONTRACT LIST
Itemizing contracts not otherwise approved or ratified by City Commission Action
(Listed contracts are available for inspection in the City Clerks Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR'S SIGNATURE: _____

CONTRACT LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Public Works and Part and Recreation	J & V Restaurant & Fire Supply	01/01/2008 - 12/31/2010	Individual Departments	\$5,000 per year estimate	Fire extinguisher maintenance services for Public Works Complex, Water Plant, Wastewater Plant, Park and Recreation, Pools, Golf Courses, Recreation Center and Civic Center Building.
B	Public Works/ Engineering	Apple Valley Backhoe Service	January 2008	Storm Drain	\$36,405	Construction of Storm Sewer Main. OF 1441
C	Public Works/ Engineering	Montana Department of Transportation	04/20/2004 – 12/2009	Water Utility	\$135,000	BNRR – River Drive, additional funding for the reconstruction of Overlook Drive from the Visitor's Center to Oddfellows Park. OF 1307
D	Public Works/ Engineering	Hertha A. Chamberlain	January 2008	N/A	N/A	Storm Drain Easement for OF 1476.1 between Eagles

	Engineering	Trust				Crossing Phase 2 and Northview Addition Phase 1.
E	Public Works/ Engineering	J.L. and Julie M. Bass	January 2008	N/A	N/A	Storm Drain Easement for OF 1445.4.

**CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION**

**AGENDA: 9
DATE: January 22, 2008**

ITEM: GRANT LIST
Itemizing grants not otherwise approved or ratified by City Commission Action
(Listed grants are available for inspection in the City Clerks Office.)

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Grants through the Consent Agenda

MAYOR'S SIGNATURE: _____

GRANTS

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	GRANT AMOUNT	CITY MATCH (INCLUDE FUND MATCH TO BE PAID OUT OF)	PURPOSE
A	Planning Ellen Sievert Historic Preservation Officer	Montana State Historic Preservation Office	04/01/2008 to 03/31/2009	Anticipated appropriation amount \$5,500	Grants must be matched on a 60/40 basis. 213-1817-512-1113	CLG training and historic preservation efforts.

AGENDA REPORT

DATE January 22, 2008

ITEM Resolution 9726 Golf Fees

INITIATED BY Park & Recreation Department & Golf Advisory Board

ACTION REQUESTED Set Public Hearing on Resolution 9726

PREPARED & PRESENTED BY Martin Basta, Park & Recreation Director

- - REVISED - -

RECOMMENDATION:

Staff recommends the City Commission set a public hearing on Resolution 9726 Golf Fees on February 5, 2008.

MOTION:

“I move the City Commission set a public hearing on Resolution 9726 Golf Fees on February 5, 2008.”

SYNOPSIS:

The City Commission is asked to conduct a public hearing on Resolution 9726 to hear comments regarding the attached proposed rates. Resolution 9726 would repeal Resolution 9545 and set fees for the 2008 golf season.

City staff’s recommendations are based on the Golf Advisory Board’s recommendation made at the Monday, January 7, 2008 Board Meeting. An open invitation to attend the Golf Advisory Board Meeting was extended to men’s and women’s golf league players from Eagle Falls and Anaconda Hills golf courses.

Approximately 40 golfers attended the Board Meeting. Staff presented a financial trend and analysis PowerPoint presentation prior to accepting public comments from the audience and final Golf Advisory Board recommendation.

BACKGROUND:

The City golf courses are currently operating at a deficit. In addition, there is not enough revenue being generated to meet bond covenants. Both of these factors are very serious and could jeopardize the future of the City run courses. These funds have been monitored closely, expenses have been controlled, and modest fee increases have been implemented.

Staff presented a financial report as well as statistical data to the Golf Advisory Board on October 22, 2008 **2007** for their consideration. A week later on October 29, 2008, **2007** the Board reconvened to discuss possible remedies to the golf courses’ deficit. At this meeting, the Board made a motion to recommend to the City Commission a user fee consisting of \$1 for 9 holes and \$2 for 18 holes, for all season passes, excluding junior passes. Additionally the board recommended an increase in greens fees of \$1 for 18 holes at both courses. Staff has estimated the proposed increases will

generate approximately \$56,600 in user fee revenue and \$7,400 in greens fee revenue for a total revenue increase of \$64,000. A final meeting of the Golf Advisory Board Golf, including public comment, was scheduled for January 7, 2008. Following a staff presentation and receiving public comments, the Golf Advisory Board reconfirmed and approved their motion for fee increases as approved at their October 29, 2007 Board Meeting. The Park and Recreation Advisory Board approved the proposed fee increases at their January 14, 2008 Board Meeting.

RESOLUTION 9726
A RESOLUTION TO ESTABLISH GOLF FEES FOR
EAGLE FALLS GOLF CLUB AND ANACONDA HILLS GOLF COURSE

NOW THEREFORE, BE IT RESOLVED BY THE GREAT FALLS CITY COMMISSION
THAT: All past fee structures for green fees, cart storage, yearly and daily trail fees and cart rental as established in Resolution 9545 hereby amended.

AH: Anaconda Hills Golf Course		EF: Eagle Falls Golf Club				
	AH	EF	Joint			User fee
SEASON PASS						
Adult Full Season Pass	400.00	450.00	525.00			\$1/9 hole round \$2 /18 hole round
Adult Full Couple Season Pass	750.00	825.00	950.00			\$1/9 hole round \$2 /18 hole round
Adult Restricted Season Pass	300.00	350.00	400.00			\$1/9 hole round \$2 /18 hole round
Adult Restricted Couple Season Pass	550.00	625.00	700.00			\$1/9 hole round \$2 /18 hole round
Junior Full Season Pass	190.00	200.00	225.00			
Junior Restricted Season Pass	150.00	160.00	170.00			
TRAIL FEE						
Daily Trail Fee						12.00
Season Trail Free			250.00			
CART STORAGE FEE						
Storage Cart Gas		220.00				
Storage Cart Electric		250.00				
GREEN FEES						
18 Hole Green Fee	22.00	25.00	25.00	28.00		
9 Hole Green Fee	13.00	15.00	15.00	16.00		
Junior Green Fee (all day)	13.00	15.00	15.00	16.00		
GREEN FEE SPECIALS						
Weekday Swing Time 1:00-4:00	16.00	18.00				
Weekend Swing Time 3:00-on			19.00	22.00		
Swing Time Cart Rental (per person*)			*9.00	*9.00		
CART RENTAL						
Cart Rental 9 Hole (per person*)						*7.00
Cart Rental 18 Hole (per person*)						*12.00
Annual Cart Pass						600.00
TOURNAMENT						
Tournament Fee (non-refundable deposit)						100.00
Tournament Reservation Fee						5.00

PASSED by the City Commission of the City of Great Falls, Montana, this 5th day of February, 2008.

Lisa Kunz, City Clerk

Dona R. Stebbins, Mayor

David V. Gliko, City Attorney

State of Montana)
County of Cascade: ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9726, was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 5th day of February, 2008, and approved by the Mayor of said City, on the 5th day of February, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 5th day of February, 2008.

(Seal of City)

Lisa Kunz, City Clerk

CITY OF GREAT FALLS, MONTANA

AGENDA # 11

A G E N D A R E P O R T

DATE: January 22, 2008

ITEM Res. 9724, Cost Recovery, L3, B480, GF Original Add., 308 7 Ave S

INITIATED BY Community Development Department

ACTION REQUESTED Set Public Hearing for February 5, 2008

PREPARED BY Jay Parrott, Building Inspector

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

- - - - -

RECOMMENDATION:

Staff recommends the City Commission set February 5, 2008, at 7:00 P.M. for a public hearing to assess costs for razing and clean-up of the condemned property located at 308 7th Avenue South, Lot 3, Block 480, Great Falls Original Addition, Great Falls, Cascade County, Montana, and that the charges shall be assessed against the property.

A public hearing for assessing said costs is mandated by the Official Codes for the City of Great Falls, Nuisance Abatement Code, Chapter 8, Section 8.49.070.

MOTION:

I move a public hearing be set for February 5, 2008, at 7:00 P.M., on Resolution 9724.

SYNOPSIS:

Ronald R. Bowers, owner of the property located on Lot 3, Block 480, Great Falls Original Addition, Great Falls, Cascade County, Montana, more commonly known as 308 7th Avenue South was issued a notice of hearing before the City Commission of Great Falls to appear at 7:00 P.M., February 5, 2008. The hearing is to show cause why the owner(s) of the property should not be held liable for the costs incurred in razing and clean-up of the structure known as 308 7th Avenue South.

BACKGROUND:

Staff has taken the following action:

<u>Action</u>	<u>Date</u>
• Initial inspection of property	09-04-07
• Condemned with sixty-day notice mailed	09-05-07
• Bid awarded	12-03-07
• Razing completed and approval by staff	12-20-07

Cost for cleanup as follows:

Administrative Fee	\$ 260.00
Ownership and encumbrance report by <i>Stewart Title</i>	\$ 110.00
Recording Fees	\$ 24.00
Publishing Legal Ad (TRIBUNE)	\$ 35.00
Razing Fee	\$ 49.00
Demolition & cleanup by <i>Phillips Construction Company</i>	<u>\$ 4,348.00</u>
TOTAL COSTS INCURRED	<u>\$ 4,826.00</u>

Resolution 9724 would allow staff to assess the razing cost against the property itself.

RESOLUTION 9724 -- DENIED

A RESOLUTION ASSESSING THE COSTS INCURRED IN RAZING AND CLEANING OF THE PROPERTY LOCATED AT LOT 3, BLOCK 480, GREAT FALLS ORIGINAL ADDITION, GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 308 7th AVENUE SOUTH, AGAINST SAID PROPERTY.

WHEREAS, Ronald R. Bowers, owner of the property located on Lot 3, Block 480, Great Falls Original Addition, Great Falls, Montana, 308 7th Avenue South was issued a notice to raze the structure.

WHEREAS, after due notice the property owner did not raze the structure.

WHEREAS, staff hired a contractor to raze the structure and clean the property.

WHEREAS, the contractor completed razing & cleanup with staff approving the work.

WHEREAS, the City Commission set February 5, 2008 at 7:00 p.m. for this hearing, to show cause why the property owner should not be held liable for the costs incurred in razing and cleanup of said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT:

The amount of \$ 4,826.00 for razing and cleanup costs incurred in the abatement of a nuisance at Lot 3, Block 480, Great Falls Original Addition, Great Falls, Montana, described as 308 7th Avenue South, be assessed against the property itself, with interest and penalties on the unpaid balance.

PASSED by the Commission of the City of Great Falls, Montana, on this 5 day of February, 2008.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

State of Montana)
County of Cascade: ss.
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify the foregoing Resolution 9724 was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 5 day of February, 2008 and approved by the Mayor of said City, on the 5 day of February 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 5 day of February 2008.

Lisa Kunz, City Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on February 5, 2008, at 7:00 p.m., in the Commission Chamber of the Civic Center for assessing razing and cleanup costs on the following property in the amount set forth:

308 7th Avenue South \$ 4,826.00

Any person interested or affected by the proposed charge may file written protests or objections, containing the description of the property and the grounds for such protest or objections, with the Clerk's office prior to the time set for the hearing.

BY ORDER OF THE CITY COMMISSION

Lisa Kunz, City Clerk

OFFICE USE ONLY

Publication Date: January 26, 2008

cc: Account # 451-7121-572-3599
Lisa Kunz, City Clerk
Itemized Account
Owner: Ronald R. Bowers
364 Jene Helene Avenue
Billings MT 59101-9143
Post on Property
Property File

ITEMIZED ACCOUNT FOR RECOVERY OF ABATEMENT COSTS

The following expenses were incurred during the razing and cleanup of property at Lot 3, Block 480, Great Falls Original Addition, Great Falls, Montana, more commonly known as 308 7th Avenue South.

Administrative Fee	\$ 260.00
Ownership and encumbrance report by <i>Stewart Title</i>	\$ 110.00
Recording Fee	\$ 24.00
Publishing – Legal Ad	\$ 35.00
Razing Fee	\$ 49.00
Demolition & cleanup by <i>Phillips Construction Company</i>	<u>\$ 4,348.00</u>
TOTAL EXPENSES INCURRED	<u>\$ 4,826.00</u>

CITY OF GREAT FALLS, MONTANA

AGENDA # 12

AGENDA REPORT

DATE January 22, 2008

ITEM: GASOLINE AND DIESEL FUEL CONTRACT

INITIATED BY: PUBLIC WORKS DEPARTMENT

ACTION REQUESTED: AWARD BID

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

RECOMMENDATION:

Staff recommends that the City Commission extend the gasoline and diesel fuel contract to Mountain View Co-Op for three year's at an annual cost of approximately \$680,000.

MOTION:

I move that the City Commission extend the gasoline and diesel fuel contract to Mountain View Co-Op for three year's at an annual cost of approximately \$680,000.

SYNOPSIS:

In 2004, bids were requested and received for the supply of fuel for City of Great Falls operations. A contract with Mountain View Co-Op was subsequently executed. Per the existing contract, the parties involved by mutual agreement can extend the contract for a period of three years. Staff was able to negotiate an extension of the current fuel contract with Mountain View Co-Op. The gross margin of \$.05 per gallon, which includes all of their overhead including delivery, did not increase from the margin established in the 2004 fuel contract.

Staff estimates our annual fuel use to be 125,000 gallons of unleaded gasoline, 20,000 gallons of number one diesel and 105,000 gallons of number two diesel.

Fuel prices will, of course, fluctuate and the specifications ask for the particular index the supplier proposes to use to determine our cost changes. Mountain View Co-Op will use the Cenex wholesale price, and as the price paid by Mountain View Co-Op changes, our price will change by the same amount per gallon.

BACKGROUND:

Funds for the purchase of gasoline and diesel fuels are provided in individual department budgets. Central Garage tracks fuel usage and departments are billed for their actual use.

AGENDA REPORT

DATE January 22, 2008

ITEM: CONTRACT FOR ENGINEERING SERVICES: WATER TREATMENT PLANT BACKWASH CLARIFIER AND SCREENING SYSTEM MODIFICATIONS – O.F. 1519.3

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: APPROVE CONTRACT FOR ENGINEERING SERVICES

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

RECOMMENDATION: Approve the attached contract between the City of Great Falls and Thomas, Dean and Hoskins, Inc. (TDH) for engineering services on the Water Treatment Plant Backwash Clarifier and Screening System Modifications – O.F. 1519.3.

MOTION: "I move the City Commission approve the attached Contract for Engineering Services in the amount of \$73,300.00 with Thomas, Dean and Hoskins, Inc. on the Water Treatment Plant Backwash Clarifier and Screening System Modifications – O.F. 1519.3 and authorize the City manager to execute the documents."

SYNOPSIS: City staff has negotiated a professional services contract with TDH to provide design services for the City of Great Falls Water Treatment Plant (WTP). The total estimated cost of TDH's services is \$73,300.00, which will be paid by the Water Fund.

The WTP requires modifications to the backwash clarifier and screening system to improve its operational capabilities to meet Montana Department of Environmental Quality (DEQ) regulatory requirements. DEQ found that the WTP exceeded its permit limit for total suspended solids on some occasions.

The purpose of this contract is to design modifications to the backwash clarifier and screening system to meet permit limits. Engineering services includes design, preparation of plans and contract documents, and performing construction staking, equipment and material testing. Specific construction items will include backwash sampling manhole and containment structure, backwash metering structure, storm drain bypass around monitoring stations, new solids grinder for the debris from raw water screens, chlorine residual monitoring station and turbidity monitoring station for effluent.

BACKGROUND: TDH was selected on the rotational basis outlined in the Architect Engineers Surveyors Selection Policy. This agreement was then successfully negotiated. TDH has performed satisfactorily on past projects of this type for the City.

Attachments: Contract for Engineering Services (2 originals)

CITY OF GREAT FALLS, MONTANA

AGENDA # 14

A G E N D A R E P O R T

DATE January 22, 2008

ITEM: CONTRACT FOR ENGINEERING SERVICES: WATER TREATMENT PLANT BACKWASH CLAIIFIER AND SCREENING SYSTEM MODIFICATIONS – O.F. 1519.3

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: APPROVE CONTRACT FOR ENGINEERING SERVICES

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

RECOMMENDATION: Approve the attached contract between the City of Great Falls and Industrial Automation Consulting Inc. (IAC) to provide control system design, and programming services for the Water Treatment Plant Backwash Clarifier and Screening System Modifications – O.F. 1519.3.

MOTION: "I move the City Commission approve the attached Proposal for Engineering Services with Industrial Automation Consulting Inc. in the amount of \$14,893.33 to provide services to design control system improvements and programming for the Water Treatment Plant Backwash Clarifier and Screening System Modifications – O.F. 1519.3 and authorize the City manager to execute the contract."

SYNOPSIS: This contract will provide design services to construct electronic control instrumentation and provide programming to integrate into the existing Supervisory Control and Data Acquisition (SCADA) system. The mechanical modifications design to the Backwash Clarifier and Screening system are currently being proposed under a separate contract.

BACKGROUND: The WTP currently requires modifications to the Backwash Clarifier and Screening system to improve its operational capabilities to meet Montana Department of Environmental Quality (DEQ) regulatory requirements. DEQ found that the WTP exceeded its permit limit for total suspended solids on some occasions.

City staff has successfully negotiated this Engineering Services Contract with IAC. IAC has performed satisfactorily on past projects of this type for the City.

Attachments: Contract for Engineering Services (2 originals)

A G E N D A R E P O R T

DATE January 22, 2008

ITEM Great Falls Regional Science and Engineering Fair

INITIATED BY Ruth Carlstrom, Science Fair Coordinator

ACTION REQUESTED Co-Sponsor Science Fair on February 9, 2008

PRESENTED BY Lisa Kunz, City Clerk

- - - - -

RECOMMENDATION: It is recommended that the City co-sponsor the Great Falls Regional Science and Engineering Fair on February 9, 2008, by contributing up to \$500 for the use of the Convention Center.

MOTION: I move the City Commission co-sponsor the Great Falls Regional Science and Engineering Fair on February 9, 2008, by contributing up to \$500 for the use of the Convention Center.

SYNOPSIS: Ruth Carlstrom has asked the City to again participate in a partnership with the Great Falls Invitational Science Fair, which benefits students from Great Falls schools, public and private, as well as students from surrounding towns. This year's Great Falls City Science and Engineering Fair is scheduled to be held in the Civic Center on February 9, 2008. This is completely a non-profit event organized and run by volunteers to promote students doing investigations using the scientific method.

In the past, the City Commission has used the following criteria when considering requests of this type.

- Requests should only be accepted from non-profit, public service organizations; and
- Requests will be granted only where the City Commission or another City agency finds a public purpose in co-sponsoring an event; and
- Requests will be considered when the event is to serve the public rather than to raise funds; and
- The event is free to the public; and
- The event benefits the youth of the community.

This event meets all the criteria.

AGENDA REPORT

DATE January 22, 2008

ITEM Postpone Bid Award for Great Falls Animal Shelter Medical Director

INITIATED BY Police Department/ Captain Shanks

ACTION REQUESTED Postpone Bid

PREPARED BY Captain Tim Shanks, Support Services Bureau

PRESENTED BY Cloyd Grove, Chief of Police

* * *

RECOMMENDATION: It is recommended that the City Commission postpone the bid for the Animal Shelter Medical Director.

MOTION: I move the City Commission postpone the bid for a one year Animal Shelter Medical Director contract.

SYNOPSIS: The specifications were advertised twice in the Great Falls Tribune and mailed to prospective bidders. The bids were opened on December 28, 2007, with one bidder. The bidder meets specifications. It is recommended that this bid award be postponed to allow for further review of the contract.

BACKGROUND: The contract will provide the City of Great Falls Animal Shelter with consistent medical assessment and treatment measures for impounded and rescued animals.

This is part of the process as recommended by Animal Welfare Expert Kim Staton for consistent medical care and protocols at the shelter.

AGENDA REPORT

DATE January 22, 2008

ITEM: REJECT BIDS: REPLACE ROOF AT FIRE STATION #2, 731 6TH STREET NW

INITIATED BY: GREAT FALLS FIRE RESCUE

ACTION REQUESTED: REJECT BIDS

PRESENTED BY: RANDY MCCAMLEY, FIRE CHIEF

RECOMMENDATION:

Staff recommends the City Commission approve the following motion.

MOTION:

"I move the City Commission reject all bids for Fire Station #2's roof replacement.

SYNOPSIS:

The bid opening was held on January 9, 2008 with five bids submitted. The roof replacement project at Station #2 was budgeted for \$70,000.00. The lowest bid came in at approximately \$79,000. Staff recommends rejecting all bids because just prior to the bid opening tests indicated that there was asbestos in the old roof fabric. Two bidders had included this in their bid and two had not. In the spring of 2008, staff will rebid the roof project and include the issue of asbestos after determining the best solution.

BACKGROUND:

Station #2 still has its original 35 year old roof, which according to engineers is in poor condition and can no longer be repaired. Additionally the original roof is poorly insulated which makes the building energy inefficient. So repairing this roof is imminent. Staff based the cost of Station #2's replacement of the roof on the replacement of Station #4's re-roof conducted last fiscal year which cost approximately \$65,000.00. Staff requested \$70,000.00 to replace this roof.

Since it has been found that the existing roof contains asbestos the lowest two bids did not address asbestos removal. The project will require a rebid to include the asbestos removal in the specifications. The abatement of the asbestos significantly adds to the project. Staff needs additional time to study alternatives that may lessen the cost of this complete job. ie. containment verses removal.

Attachment: bid tab

AGENDA REPORT

DATE January 22, 2008

ITEM Appointments, Community Development Council

INITIATED BY City Commission

ACTION REQUESTED Appoint Three New Members and Reappoint Two Members

PRESENTED BY Mike Rattray, Community Development Director

RECOMMENDATION:

It is recommended that the City Commission appoint three new members and reappoint two members to the Community Development Council.

MOTION:

I move the City Commission appoint _____ and _____ for three-year terms through January 31, 2011, appoint _____ to fill the remainder of a three-year term through January 31, 2010, and reappoint John Martin and Dale Schwanke for three-year terms through January 31, 2011, to the Community Development Council.

SYNOPSIS:

John Martin and Dale Schwanke have served on the Community Development Council since 2005. Both Mr. Martin and Mr. Schwanke are eligible for and interested in reappointment. Fred Shauer was appointed in 2005. Mr. Shauer is eligible for but not interested in reappointment. Sandra Wittke was appointed in 2003 and is not eligible for reappointment. Annie Barron was appointed in 2007 and has moved away from the community. Therefore, it is necessary to appoint three members to the Community Development Council.

BACKGROUND:

To ensure citizen participation in the CDBG allocation process, a ten-member volunteer advisory board is appointed by the City Commission. The Community Development Council makes funding recommendations for projects applying for CDBG funding to the City Commission. Members must live within the city limits.

Continuing members of this board are:

- Russell Boham
- Darlene Bos
- Elmer Feldman
- Shannon Hoiland
- Aaron Kueffler

Citizens interested in serving on this board are:

- Susan McCord
- Jerome Patton
- Adam Gill
- Maria Valandra

A G E N D A R E P O R T

DATE January 22, 2008

ITEM Employment Agreement Between the City of Great Falls and Gregory T. Doyon as the City Manager

INITIATED BY City Commission

ACTION REQUESTED Approval of Agreement

PRESENTED BY City Commission

- - - - -

RECOMMENDATION:

The recommendation is to approve the Employment Agreement between the City of Great Falls and Gregory T. Doyon as the next City Manager

MOTION:

I move the City Commission approve the Employment Agreement between the City of Great Falls and the Gregory T. Doyon as City Manager.

SYNOPSIS:

Attached* is the proposed Employment Agreement between the City of Great Falls and the new City Manager, Gregory T. Doyon. The agreement calls for a starting salary of \$105,000 and would be effective March 24, 2008. The term of the agreement is three years. (*Attachment not available online; on file in City Clerk's Office.)

BACKGROUND:

The proposed Employment Agreement will become effective March 24, 2008. The terms and conditions have been negotiated between the parties through the City's consultant, Jerry Oldani. Gregory T. Doyon has signed the letter showing his acceptance.

The agreement documents the benefits that will be provided to include a \$450 per month car allowance, an insurance package that is the same as other City employees, a deferred compensation retirement contribution to ICMA-RC of 7% after 6 months of employment, vacation and sick leave starting allowances, a technology package to allow the City Manager to perform his duties, relocation expenses, and a severance package of 90 days compensation if he is terminated prior to the end of the first year of the agreement other than for cause.