

Regular City Commission Meeting

Mayor Winters presiding

**CALL TO ORDER:** 7:00 PM

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ROLL CALL:** City Commissioners present: Michael Winters, Bob Jones, Bill Bronson and Fred Burow. Commissioner Kelly was excused. Also present were the City Manager and Deputy City Manager; City Attorney; Director of Fiscal Services; City Engineer; Police Captain; and the City Clerk.

**PROCLAMATIONS:** Mayor Winters read proclamations for Vets4Vets Month and Optimist Weekend.

**PRESENTATION:** Mayor Winters presented Jake Bush with a Resolution of Commendation, Appreciation and Gratitude for rescuing three people from the Missouri River on July 1, 2013.

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

## **NEIGHBORHOOD COUNCILS**

### **1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Eric Ray**, Chair NC 5, provided a quarterly report on behalf of the council. He updated the Commission on the status of the Neighborhood Watch program, concerns about dust mitigation at the Talus Apartment project, and the council's fund raising efforts to resurface the path at Russell Park.

City Manager Greg Doyon commented that he would follow up with staff on the status of the council's request for Neighborhood Watch signs, as well as check into the possibility of including flyers about the council's fund raising project for Russell Park in the utility billing.

### **CONSENT AGENDA**

2. Minutes, August 6, 2013, Commission meeting.
3. Total expenditures of \$4,384,669 for the period of August 1-14, 2013, to include claims over \$5,000, in the amount of \$4,055,501.
4. Contracts list.
5. Set public hearing for September 17, 2013, on Resolution 10037 to levy and assess properties within Special Improvement Lighting Districts.
6. Award a contract in the amount of \$289,768.15 to Central Plumbing and Heating, Inc. for the CMATP Sanitary Sewer Extension. **OF 1658.1**

7. Approve equipment purchases for the 911 Center and authorize the City Manager to execute the associated service contracts. **OF 1667**
8. Approve Final Payment for the 9<sup>th</sup> Street NW (NW Bypass to Smelter Avenue) Street Improvements to United Materials of Great Falls, Inc. and the State Miscellaneous Tax Division in the amount of \$17,822.13. **OF 1653.4**

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

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

**Richard Liebert**, 289 Boston Coulee Road, referred to Item 6 and spoke in support of the Central Montana Agricultural Technology Park (CMATP). He suggested the fire response times to industrial sites that may divert resources from the rest of the city be taken into consideration.

Mr. Liebert also referred to Item 3 and the legal fees paid to Moulton Bellingham from the electric fund. He inquired and was informed the City was not in receipt of a response to attorney Doug James' letter to Barrett Minerals' attorney in New York. He suggested Mr. James assist counsel in drafting letters to ECP debtors.

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

Motion carried 4-0.

### **BOARDS & COMMISSIONS**

#### **9. APPOINTMENT, GREAT FALLS PLANNING ADVISORY BOARD.**

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission appoint Dana Ball to fill the remainder of a three-year term ending December 31, 2014, to the Great Falls Planning Advisory Board.**

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

**Richard Liebert**, 289 Boston Coulee Road, thanked the individuals that applied for this board. He inquired what criteria the Commission considers when reviewing qualifications.

Mayor Winters noted that the Commissioners each receive copies of the applications to review and each chooses who they believe will best fill the position.

Commissioner Bronson added that all of the individuals that submitted applications were well qualified. He reviewed the occupations of the current board members and noted there has not been an attorney on the board for a number of years.

Mr. Liebert discussed going back to a consolidated City-County Planning Board.

Commissioner Bronson pointed out that it was the County's decision to remove itself from the process. More recently, there has been outreach and good communication between the current directors and staff of both parties.

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

Motion carried 4-0.

**10. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

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

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

**11. RESOLUTION 10030, ANNUAL TAX LEVY.**

Fiscal Services Director Melissa Kinzler reported that the City received the taxable valuation for the City of Great Falls from the Montana Department of Revenue on July 30, 2013. Accordingly, the City can now compute and set its annual mill levy. The total mill levy for this fiscal year is 198.74 mills totaling \$15,369,305. Included in the mills are 2.57 mills for soccer park debt service payments, 3.92 mills for the swimming pool debt service payments, and 20.06 mills for the permissive medical levy.

The Fiscal Year 2014 budget was adopted July 16, 2013. Setting the mill levy is the last step in the process.

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10030.**

City Manager Greg Doyon commented that the adopted budget is the Commission's greatest policy statement. It outlines what the Commission wants to do for services in the subsequent year. Manager Doyon expressed concerns and discussed highlights regarding the City's current financial situation. He noted that there needs to be a robust discussion about priorities because the general fund is subsidizing too much. The City may need to look at privatizing some of its services. He concluded that next year's budget cycle will even be tougher.

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

Commissioner Bronson noted that what Manager Doyon discussed was not unique to the City of Great Falls. In his travels and discussions with counter-parts, even not having faced the issues the City of Great Falls' faced with Southern Montana, other cities and towns are struggling with similar issues.

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

Motion carried 4-0.

12. **ORDINANCE 3113, AMENDING TITLE 13 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS PERTAINING TO DEFINITIONS AND ABBREVIATIONS IN THE INDUSTRIAL PRETREATMENT PROGRAM.**

City Engineer Dave Dobbs reported that adoption of Ordinance 3113 will amend Title 13 of the Official Code of the City of Great Falls (OCCGF), and specifically the sanitary sewer code relating to the industrial pretreatment program. The amendment required by the U.S. Environmental Protection Agency (EPA) to comply with federal regulations was to update the OCCGF by changing the definition of “existing source.”

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3113 on first reading and set a public hearing for September 3, 2013.**

City Manager Greg Doyon commented that, nationally, there has been increased enforcement activity on municipalities by the EPA. Improvements are being driven by the EPA for cities and towns to comply with, and a good part of water and sewer rates are driven by EPA requirements.

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

Motion carried 4-0.

**PETITIONS AND COMMUNICATIONS**

13. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

- A. **John Hubbard**, 615 7<sup>th</sup> Avenue South, discussed opposition to tax increases, and accountability in government. Mr. Hubbard also discussed recent national news articles. He concluded by reading two poems authored by his father.
- B. **Rudolph Tankink**, 3620 9<sup>th</sup> Avenue North, discussed Local Agenda 21, terms such as comprehensive or growth planning, and his belief that Agenda 21 “is in our backyard.”
- C. **Greighsen Adams**, 3501 11<sup>th</sup> Street NE, announced that her CMR High School senior project is to rebuild a 1952 Chevy that will be auctioned off and 100% of the proceeds going to the Boys and Girls Club. She will be distributing flyers. Additional information can be found at [www.mycmrproject.com](http://www.mycmrproject.com). Donations that are not used on rebuilding the truck will be split among the Boys and Girls Club and the VFW Club.
- D. **Alma Winberry**, 423 15th Street South, referred to a June *Tribune* article, and read a statement she authored regarding Electric City Power (ECP) and loss to the City’s revenue base.
- E. **Richard Liebert**, 289 Boston Coulee Road, discussed the requirements for Scouts to attain a merit badge. Mr. Liebert inquired the status of possibly getting the 2005 bond financing interest rate

lowered from 6.79%. He also discussed Moody's bond rating for the City in 2012. He suggested efforts be made to collect from ECP customers.

### **CITY MANAGER**

#### **14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon congratulated the Fiscal Services Department for receiving the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. He also reported that the City secured three water rights from Arco to add to its portfolio.

In response to comments, Manager Doyon commented that the attorney services of Doug James will be maintained until ECP is dissolved and related ordinances and resolutions are repealed. At some point the Commission will need to evaluate whether or not it wants to pay more in attorney fees to litigate against companies that violated their contracts.

With regard to the lower reserve balance, he explained that he has evaluated the different funds in the departments. It was a long, methodical process determining the funds to make adjustments to address ECP and operating budget this year.

Manager Doyon further explained that he thought it prudent to hire a consultant to draft an RFP that would be competitive and allow the City to have some meaningful savings in its electrical and gas costs. The consultant is working to make sure that the RFP is comprehensive enough that when the City receives proposals it will be able to respond in a timely manner and that it covers all the bases as the City transitions out of Electric City Power.

With regard to the debt service, he reported that the City is pursuing a lower interest rate. With regard to the Moody's report, he thinks the City was under a two-year watch. When the City makes its second settlement payment and gets through its audit, the rating may be revisited.

Deputy City Manager Jennifer Reichelt announced that the Animal Shelter is offering cats and kittens for adoption for \$25.

### **CITY COMMISSION**

#### **15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Winters responded to accusations made against this Commission with regard to Electric City Power and Southern Montana. He credited this Commission and City staff, following the advice of attorneys and judges and not the advice from critics, for extricating the City from the electric business.

He also responded to comments made at the August 6, 2013, Commission meeting regarding the citizens of Great Falls not having the same amenities as other communities, and civic leaders not operating with honesty and integrity. He read correspondence received from Marty Basta, Park and Recreation Director, regarding staffing at City Pools; and Tammy Filliater, Water Quality Specialist, regarding the quality of the City's drinking water. He also read correspondence in response to Alma Winberry's comments made at the August 6, 2013, Commission meeting, about

the underpass art project that were received from Kelli Lawson, and Joan Redeen, Business Improvement District.

Commissioner Jones appreciated Manager Doyon's comments regarding the City's due diligence in getting out of Electric City Power. He hopes that his explanations will answer some of the questions and negativity.

16. **COMMISSION INITIATIVES.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Burow, to adjourn the regular meeting of August 20, 2013, at 8:35 p.m.**

Motion carried 4-0.

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Mayor Michael J. Winters

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City Clerk Lisa Kunz

Minutes Approved: September 3, 2013