

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL: City Commissioners present: Michael Winters, Bob Jones, Bill Bronson, Fred Burow and Bob Kelly. Also present were the City Manager and Deputy City Manager; City Attorney; Directors of Fiscal Services, Park and Recreation, and Public Works; Planning and Community Development Planner II; Police Chief; and the City Clerk.

**** 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.

Ron Gessaman, NC 3, discussed council concerns regarding pedestrians not using the crosswalk by Calumet Montana Refinery being a traffic hazard, as well as Calumet Montana Refinery not having a developed, coordinated plan for a disaster at the facility.

Public Works Director Jim Rearden announced that a coordinated meeting, between the City, Montana Department of Transportation (DOT) and Calumet Montana Refinery, is scheduled for January to discuss traffic on 10th Street NE as well as 6th Street NE due to some operational changes.

Mr. Gessaman suggested that DOT be asked to address the complaint from the Refinery regarding the walk button on Smelter Avenue not working.

After a brief discussion, the Commission directed City Manager Greg Doyon to write a letter to Calumet Montana Refinery addressing these concerns and suggesting that subcontractors be included in the educational process as well.

CONSENT AGENDA

- 2.** Minutes, November 5, 2013, Commission meeting.
- 3.** Total expenditures of \$2,136,325 for the period of October 26 through November 13, 2013, to include claims over \$5,000, in the amount of \$1,900,605.
- 4.** Set public hearing for December 3, 2013, on Resolution 10041 – Golf Fees.
- 5.** Approve Change Order No. 1 in the amount of \$4,025.50 and final payment in the amount of \$5,333.37 to Missouri River Trucking & Excavating, Inc. and \$53.23 to the State Miscellaneous Tax Division for the Delmar Drive Street Drainage Improvements, Phase 1. **OF 1653.1**

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

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

Ron Gessaman, 1006 36th Avenue NE, commented that sodium chloride deicer (listed in Item 3) damages vehicles. With regard to Item 4 (set public hearing on golf fees), Mr. Gessaman suggested that it would be beneficial to the public to show a fee comparison. He also noted a typographical error in today's *Tribune* article concerning the amount of revenue projected due to the proposed 6% golf fee increase.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

6. REAPPOINTMENT, CASCADE COUNTY CONSERVATION DISTRICT BOARD OF SUPERVISORS.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint John Chase to a three-year term through December 31, 2016, to the Cascade County Conservation District Board of Supervisors.

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

Motion carried 5-0.

7. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

PUBLIC HEARINGS

8. LOT 2, MEDICAL TECH PARK MINOR SUBDIVISION, IN THE SE1/4, SECTION 18, T20N, R4E, PMM – TALUS APARTMENTS.

Planning and Community Development Planner Galen Amy reported that on October 1, 2013, the City Commission scheduled a public hearing to consider Resolution 10040 and Ordinance 3114 which would annex certain property into the City and assign zoning to the subject property. The project applicant is also seeking approval for an amended plat. Planning and Community Development staff has been working diligently with the developer and sellers of the property in order to address any concerns that the parties may have. At this time the parties are not prepared for this hearing, but have a workable schedule outlined in order to achieve a successful outcome for all parties involved.

A Development Agreement will come before the Commission for consideration on December 3, 2013. Assuming passage of the Development Agreement, the requested action at this time is to vacate and reset the public hearing on the Resolution to Annex, Annexation Agreement, Amended Plat and Ordinance assigning City zoning for January 7, 2014.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission vacate the public hearing on Resolution 10040 to Annex, Ordinance 3114 to assign City zoning, the Annexation Agreement, and the Amended Plat for Talus Apartments and reset the same for public hearing on Tuesday, January 7, 2014.

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

Commissioner Kelly inquired if additional expenses would be incurred because of this delay.

Planner Amy responded that the additional expenses for the public hearing notice will be paid for by the developer.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

9. **RESOLUTION OF INTENT 10038, INTENTION TO VACATE A PORTION OF UNIMPROVED 18TH STREET SOUTHWEST LOCATED ADJACENT TO LOTS 1-3, BLOCK 1, AND LOT 1 & 2, BLOCK 2, PONCELET ADDITION, ALL LOCATED IN THE SW1/4NW1/4 SECTION 10, T20N, R3E, P.M. MT, CASCADE COUNTY, MONTANA**

Planning and Community Development Planner Galen Amy reported that on October 7, 1997, the City Commission adopted Resolution 8903 which vacated the entire unimproved portion of 18th Street SW from Sunset Road to 5th Ave SW. The Amended Plat was never filed. Therefore, the vacation of right-of-way was never completed.

Temple Baptist Church, together with the City of Great Falls, is applying once again for a vacation of right-of-way and plat amendment. The proposed action will aggregate seven parcels into two, adjust boundary lines and vacate a portion of the unimproved 18th Street SW. This action will ultimately clean up issues that exist as a result of Resolution 8903 never being filed and past construction of a City-owned lift station.

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

Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission adopt Resolution of Intent 10038 and set the public hearing for December 17, 2013.

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

Ron Gessaman, 1006 36th Avenue NE, referred to the agenda report and commented that at the Neighborhood Council 2 meeting held on October 9, 2013, the council made a motion that it couldn't make comments until such time as more information was received. He also opined that the costs of the turnaround will be shifted to the owners of lots 3 and 4.

Planner Amy responded that the information in the agenda report that "no other property owners in the vicinity will be adversely affected" is accurate in that all of the properties to the south of the subject property are owned by Temple Baptist Church. Abutting properties to the east are not affected by this Resolution. One citizen expressed opposition to the project at first because she was concerned about access to the rear of her property being impacted. There is no alley located off of 19th Street SW behind her property. This particular project would not impact her property.

Motion carried 5-0.

PETITIONS AND COMMUNICATIONS

10. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. Alma Winberry**, 423 15th Street South, read a letter she authored about elected officials and the code of ethics.
- B. Ron Gessaman**, 1006 36th Avenue NE, discussed witnessing a driver of a vehicle talking on a cell phone the morning of November 10, 2013, driving north in the southbound lane of 8th Street NE almost causing an accident with another vehicle.
- C. Katie Hanning**, 3217 4th Avenue North, commented that it saddens her to hear some of these final remarks from speakers.

CITY MANAGER

11. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reported that, in light of all of the developments that are occurring in the Department of Defense, the concept of a public/public partnership with MAFB and MANG will be put on pause for awhile.

CITY COMMISSION

12. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from the City Commission.

13. COMMISSION INITIATIVES.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Bronson moved, seconded by Commissioner Jones, to adjourn the regular meeting of November 19, 2013, at 7:36 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: December 3, 2013