

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; Chief Prosecutor; Directors of Fiscal Services and Planning and Community Development; City Engineer; City Forester; Assistant Fire Chief; Police Chief; and the City Clerk.

AGENDA APPROVAL: Manager Doyon noted the typographical error corrected in Agenda Report 11 and the contract added to Item 4. No changes were proposed by the City Manager or City Commission. The agenda as submitted was approved.

**** 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.

Richard Calsetta, NC 3, announced that Neighborhood Council 3 is in recess until September. Mr. Calsetta read a resolution passed unanimously by the council titled “ Resolution Valley View Subdivision Residents July 10, 2014.”

CONSENT AGENDA

- 2.** Minutes, July 15, 2014, Commission meeting.
 - 3.** Total Expenditures of \$4,096,558 for the period of July 1-23, 2014, to include claims over \$5,000, in the amount of \$3,811,522.
 - 4.** Contracts list.
 - 5.** Set public hearing for September 16, 2014, on Resolution 10085 to levy and assess properties within Special Improvement Lighting Districts.
 - 6.** Approve purchase of water meter equipment for Fiscal Year 2015 from Dana Kempner Co. of Billings in an amount not to exceed \$270,000.
 - 7.** Approve Professional Services Contract in the amount of \$167,942 to Kadrmas, Lee & Jackson for engineering services associated with the Southeast Great Falls Wastewater Improvements.
- OF 1451.2**

8. Approve Amended and Restated Interlocal Agreement for Creating Montana Firefighter Testing Consortium (MFFTC).
9. Approve Agreement for Mutual Aid in Fire Protection and Hazardous Materials Incident Response.

Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda as presented, with the exception of Item 4I for further discussion.

Commissioner Burow inquired about the expense of the ADA energy efficient doorway for the Community Recreation Center.

After explanation by Planning and Community Development Director Craig Raymond that it was for the entire store front system that will need to be retrofitted for that building, item 4I was added back to the consent agenda for approval.

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

Ron Gessaman, 1006 36th Avenue NE, received clarification that contract item 4A was for a purchase of renewable energy credits.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

10. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

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

PUBLIC HEARINGS

11. TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) 2014/2015 BUDGET AND WORK PLAN.

Administrative and Marketing Director Karen Venetz reported that the TBID continues to provide stable, dedicated funding for tourism promotion. The stability provides a positive economic impact which only strengthens the community. A recent grant to conduct a community based assessment of the heritage tourism potential of Great Falls and surrounding areas has the possibility of designating Great Falls as a national heritage area. This designation would increase attractions of Great Falls as an actual destination to trip planners, both individual and in the travel industry. The grant also includes a third party assessment that will provide information about how travelers learn about Great Falls and how they view the community and what it has to offer. The TBID sees this as a huge opportunity for improved target marketing to increase overnight stays in Great Falls.

Ms. Venetz concluded that the TBID is looking forward to the new fiscal year and promoting the community.

Mayor Winters declared the public hearing open.

Speaking in support of the TBID 2014/2015 budget and work plan was:

Joan Redeen, Great Falls Business Improvement District (BID), 13 5th Street North, reported that the BID supports the TBID and all that they do for the community.

No one spoke in opposition to the TBID 2014/2015 budget and work plan.

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

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission accept the 2014/2015 Tourism Business Improvement District Budget and Work Plan.

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

Commissioner Kelly commended the TBID for the great job it does for the citizens of Great Falls.

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

Motion carried 5-0.

12. BUSINESS IMPROVEMENT DISTRICT (BID) 2014/2015 BUDGET AND WORK PLAN.

Joan Redeen, Business Improvement District, reported that she has spoken at length in the past about what the BID does. She provided an update of more recent art projects, the mural on the 1st Street underpass and traffic signal boxes. The BID also takes care of the flowers and snow removal in the winter. She announced that the BID will be working on expanding the boundaries of the district.

Mayor Winters declared the public hearing open.

Speaking in support of the BID 2014/2015 budget and work plan was TBID Administrative and Marketing Director **Karen Venetz**. She thanked Ms. Redeen for their partnerships and for doing a great job downtown.

No one spoke in opposition to the BID 2014/2015 budget and work plan.

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

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission accept the 2014/2015 Business Improvement District Budget and Work Plan.

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

Motion carried 5-0.

13. **RESOLUTION 10090, REOPENING A PREVIOUSLY CLOSED SEGMENT OF 20TH STREET SOUTH ADJACENT TO GREAT FALLS HIGH SCHOOL AND RESCINDING PORTIONS OF RESOLUTIONS 6859 AND 6920.**

Assistant Superintendent Tom Moore, representing the School District, 1100 4th Street South, reported that during the comprehensive master plan study in 2012, traffic flow and parking issues around Great Falls High School were investigated. Dating back to 1977, a portion of 20th Street South at 2nd Avenue South and 4th Avenue South has been closed to through traffic. Boulders were placed at the intersection of 2nd Avenue and 20th Street that obstruct the flow of traffic through that area. At that point in time there were some safety concerns about the speed at which traffic flowed through that area.

Once again, the school district is concerned about safety in that area. During the comprehensive master plan study, traffic flow in and around that area was a major concern for the residents. A consultant conducted a traffic study and a report was issued in October, 2012 to the school district regarding the proposed reopening and provided a traffic modeling scenario for the school district. It was the consensus of opinion that, to allow emergency responders better access to the high school, reopening 20th Street South between 2nd and 4th Avenue would be recommended in terms of improving traffic flow.

Mr. Moore further reported that the School District's proposal, should that segment of 20th Street be reopened, would be to use standard traffic control measures such as signs and cross walks for the orderly ingress and egress to the front of Great Falls High School. Congestion will further be reduced and will discourage unsafe vehicle maneuvers. By this action, 17 new parking spaces will be created for teacher and/or visitor parking, not for student parking. It is understood by the School District that these parking spaces will be available for public use during non-school hours.

Speed is no longer a concern of the City or the School District. The pros and cons have been extensively researched regarding reopening 20th Street South between 2nd and 4th Avenue. School District and City staff met with the Neighborhood Council. Two residents, one that resides across from the high school and another that lives on the corner in question expressed concerns. The alleyways that are adjacent to those homes will remain closed.

Mr. Moore clarified the proposed one-way segments and where parking would be allowed.

City Street Supervisor Jim Turnbow concurred with Mr. Moore and added that local traffic on 20th and 2nd Avenue South will be reduced. The addition of cross walks on 20th Street will eliminate turning movements and avoid vehicular-pedestrian conflicts.

Mayor Winters declared the public hearing open.

Speaking in opposition to Resolution 10090 were:

Jason Brantley, 221 20th Street South, commented that he resides at the intersection in question. He commented that he is not a proponent of the plan as it is written right now, but recognized the need for a change in the traffic flow around Great Falls High School. His personal reservation is that the street has been closed for a long time and splitting the street from two-way traffic to one-way traffic and opening one part that was closed will be a source of confusion. He would prefer to see 2nd through 4th a one-way, and believes that would provide the same desired traffic flow and parking spaces as proposed.

John Bozeman, 203 20th Street South, spoke on behalf of his father, James Bozeman, and read a letter on behalf of his neighbor, Fred Williams, who had a conflict and was unable to personally attend this meeting. Mr. Williams expressed concerns about increased vehicle and foot traffic, students gathering, littering, vandalism, loitering and increased noise. He suggested that, to reverse course at this point in time, would negate the efforts and dollars spent on the benefit of the already redesigned campus plan. Mr. Williams urged the City and School District to keep 20th Street closed and to look for better ways to address access for emergency responders. Mr. Bozeman concurred with Mr. Williams' comments.

Rosemary Bozeman, 203 20th Street South, expressed safety concerns with traffic and speed. She suggested more time be allowed to propose a better plan with regard to the traffic on 20th Street rather than just stop signs and crosswalks, as well as designating a drop off zone.

Nancy Fischer, 3109 Central Avenue, commented that she is a property manager and rents the home Fred Williams resides in. She concurred with the prior speakers and added that she has witnessed the activity of the student drivers and has on occasion called the police for more patrol in that area.

John Hubbard, 615 7th Avenue South, commented that the boulders were installed on the street when he attended Great Falls High because students were drag racing.

Speaking in support of Resolution 10090 was:

Jane Gregoire, Great Falls High School Principal, commented that a number of years has been spent looking at these issues to come up with this plan. The last thing the School District wants to do is draw more student traffic toward the front of the school building on 20th Street. The parking that will be designated for handicap, visitors or staff, should be filled by 6:30 a.m. and she doesn't see a great advantage for students to be going that direction. There also won't be an opportunity to gain speed. On 2nd Avenue South there will be two stop signs to calm traffic. Ms. Gregoire further reported that faculty will work with parents and continue to work with the students should this plan be approved.

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

Commissioner Jones moved, seconded by Commissioner Kelly, that the City Commission adopt Resolution 10090.

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

Commissioner Jones noted that a lot of thought has gone into this and the City will continue to work with the School District to make improvements and modifications as necessary.

Commissioner Bronson noted that the City and the School District have agreed to monitor vehicle and pedestrian traffic and to take necessary steps and modifications which can be done without involving the Commission.

Mayor Winters noted his concern of access for emergency responders.

Motion carried 5-0.

14. **RESOLUTION 10047 TO LEVY AND ASSESS SPECIAL IMPROVEMENT GENERAL BOULEVARD MAINTENANCE DISTRICT NO. 3570.**

Fiscal Services Director Melissa Kinzler reported that adoption of Resolution 10047 will allow the City to finance the cost of work, improvements and maintenance conducted each year in the special improvement boulevard maintenance district. Services provided within the district are tree pruning, removal, and planting. For fiscal year 2015 the general boulevard area assessment will remain the same as last fiscal year's assessed amount of \$318,856.

Manager Doyon added that the City will continue to provide leaf pick up. More discussion will need to take place regarding the capacity of the Natural Resources Division to continue the leaf pick up service with the staffing and equipment that it has. Additional tree trimming will have to be delayed this year to provide for leaf pick up to avoid creating an issue with the storm system.

Mayor Winters declared the public hearing open.

No one spoke in support of or in opposition to Resolution 10047.

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

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission adopt Resolution 10047.

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

Commissioner Burow referred to the agenda report wherein it states that no recommendation for an increase was proposed for the fiscal year 2015 budget because it contemplated no leaf pick up. He inquired if the assessment needed to be recalculated to cover the leaf pick up expense.

Manager Doyon responded that the assessment will remain the same. Additional duties were pulled from the Natural Resources Division to try to do more tree trimming. Monies that were intended for tree planting will be used for tree trimming. No increase is being recommended until staff has a better look at the allocation of time and money in the district.

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

Motion carried 5-0.

15. RESOLUTION 10048 TO LEVY AND ASSESS SPECIAL IMPROVEMENT PORTAGE MEADOWS MAINTENANCE DISTRICT NO. 1195.

Fiscal Services Director Melissa Kinzler reported that adoption of Resolution 10048 will allow the City to finance the cost of repairs and maintenance in the Special Improvement Portage Meadows Maintenance District. The assessment amount for Portage Meadows for fiscal year 2015 is \$58,079. This request is a 24% increase and will be allocated among the 186 properties within the boundaries of the Portage Meadows Maintenance District. Major factors for the increase are increased watering costs and prior fund balance deficits.

Mayor Winters declared the public hearing open.

No one spoke in support of Resolution 10048.

Speaking in opposition to Resolution 10048 was:

John Hubbard, 615 7th Avenue South, opposes raising taxes. He commented that the actions of past politicians are ruining the future.

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

Manager Doyon clarified that this item has nothing to do with Electric City Power. This item has to do with a developer and the City doing a planned unit development and part of that design at the time was to maintain an open green space with sidewalks. By this action, the City is charging the amount it costs for the City to do the maintenance, which includes the watering, mowing and snow plowing, to the residents in the district, rather than all taxpayers subsidizing the district with no benefit. He encourages district residents to organize and take on this responsibility.

Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission adopt Resolution 10048.

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

Motion carried 5-0.

16. RESOLUTION 10084 TO LEVY AND ASSESS STREET MAINTENANCE DISTRICT.

Fiscal Services Director Melissa Kinzler reported that adoption of Resolution 10084 will allow the City to fund the cost of work, improvements and maintenance in the street maintenance district. Maintenance consists of pavement rehabilitation and restoration, street cleaning, snow and ice removal, alley maintenance, nuisance weed program and funding of the traffic division. For fiscal year 2015 the proposed assessment will increase 12% to provide for the continuing increase in operational costs and needed future capital projects.

Mayor Winters declared the public hearing open.

No one spoke in support of Resolution 10084.

Speaking in opposition to Resolution 10084 were:

John Hubbard, 615 7th Avenue South, commented that pot holes haven't been filled where he lives on the south side.

Liz Mitchell, 1021 Valleyview Drive, received clarification that the street assessment is included with taxes paid every year since the district was created in 1971.

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

Commissioner Kelly moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10084.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

17. ORDINANCE 3124, TO REZONE LOTS 12-14, BLOCK 356, GREAT FALLS FIRST ADDITION, SECTION 12, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., ADDRESSED AS 1201 1ST AVENUE SOUTH.

Planning and Community Development Director Craig Raymond reported that this is a request to accept Ordinance 3124 on first reading and set a public hearing for September 2, 2014, to consider adoption of Ordinance 3124 which would rezone the subject property from R-3 Single Family High Density to R-5 Multi-Family Medium Density. The subject property historically has been an under-utilized paved parking area. The applicant has not proposed a specific development at this time but desires the R-5 zoning in order to generally develop up to 12 units of multi-family housing. Currently, the Land Development Code allows up to 12 units based on the size of the subject property. Planning and Community Development continues to encourage residential infill development or redevelopment and specifically the conversion of properties into higher density uses where appropriate. Naturally, the developer will have to comply with all provisions of the Land Development Code for the R-5 zoning district including off-street parking, landscaping and other dimensional requirements.

At a public hearing held on July 8, 2014, the Planning Advisory Board/Zoning Commission recommended that the City Commission rezone the subject property to R-5 Multi-Family

Medium Density subject to certain conditions, including the preservation of existing mature trees to the maximum extent feasible.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3124 on first reading and set public hearing for September 2, 2014.

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

Commissioner Kelly reported that he recently he joined the NeighborWorks Great Falls Board. Since NeighborWorks is involved and requesting rezoning, he will recuse himself from discussion and vote on this matter.

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

Randy Golightly, 1412 11th Street NW, suggested that full disclosure of the costs involved in this NeighborWorks project be made public before Commission consideration and vote.

Ron Gessaman, 1006 36th Avenue NE, commented he was getting “sick of re-zonings.”

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

Motion carried 4-0-1 (Commissioner Kelly abstaining).

PETITIONS AND COMMUNICATIONS

18. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. John Hubbard**, 615 7th Avenue South, spoke in opposition to government involvement and taxation. He also noted that the Great Falls High School Alumni Association didn't correspond with him via mail and he missed his 40th class reunion. Due to a complaint, he has been cleaning up his yard rather than enjoying summer activities.
- B. Mike Foran**, 1413 10th Avenue NW, read a letter on behalf of Robert Mehlhoff who was unable to personally attend this evening regarding being against any sale, exchange of land, or boundary redrawing of Valley View Park. Mr. Foran added that he planted a lot of trees in Valley View Park. He waters the trees three to four times per week and urged the Commission to keep it as a park.
- C. Cheri Calsetta**, 56 32nd Avenue NE, commented that citizens of Valley View, Skyline and Riverview have a vested interest in a development that is going to be proposed soon called West Valley View Addition. Ms. Calsetta reported that most of the residents that were petitioned are against the development as proposed by NeighborWorks. She further reported that they have asked NeighborWorks to reconsider the zoning request and adding 200 low to moderate income homes for families.
- D. Bruce Gottwig**, 1409 10th Avenue NW, concurs with the Resolution as presented. He added that

losing the park could affect property values. He opposes anything that could lower property values in that area.

- D. The daughter of **Hildreth Grimes**, 926 Avenue B NW, reported that Hildreth has been a homeowner in Valley View for 56 years. She believes the City of Great Falls has a responsibility to protect and preserve the Valley View park property for its residents. She further opposes the development as proposed by NeighborWorks.
- F. **Dennis Castle**, 1407 10th Avenue NW, reported that he carried a petition throughout Valley View and noted about 98% did not want the NeighborWorks housing project or the park taken away.
- G. **Shonna Larkey**, 1117 Avenue D NW, concurred with Ms. Grimes' comments that it would be better for NeighborWorks to refurbish other homes rather than build new homes.
- H. **Ron Gessaman**, 1006 36th Avenue NE, referred to a 2013 chart proposing the sale of park properties. He pointed out that the results of the "Image Great Falls" survey by the largest percentage were that residents wanted funds to go to parks. Mr. Gessaman further suggested that the proceeds from the sale of the inventory left at the Visitor Center should be remitted to the City.
- I. **Richard Calsetta**, 56 32nd Avenue NE, discussed an employee experiencing foundation issues with his NeighborWorks self-help home in the Castle Pines Addition and suggested that ground issues and possible construction projects be looked at correctly before considering rezoning in relation to the proposed subdivision west of Valley View.

CITY MANAGER

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Greg Doyon reviewed a list of pending topics for work sessions. Chief Bowen will discuss child abuse and other concerns in the community at the next scheduled work session.

Commissioner Kelly requested that a session be added to the list to review the process of how the City came to the decisions of the current fireworks ordinance.

Commissioner Burow requested that the sign review task force update be made sooner rather than later.

Manager Doyon also reported that he met with Neighborhood Council 5, Pachaderm Club, Lions Club, and was on the local radio show discussing the City budget the Commission recently adopted. He concluded that he is also in active labor negotiations with several of the collective bargaining units.

CITY COMMISSION

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Burow read portions of a *Tribune* article regarding mandated water and sewer system upgrades in Belt, Montana. The town council is proposing a water rate increase of 227% and sewer rate increase of 240% for some specific businesses. He commended City staff for maintaining the Great Falls' water and sewer systems and keeping increases in rates moderate to continue maintaining the systems.

Mayor Winters reported that Assistant Fire Chief Steve Hester discussed the requirements of authorized fire pits in yards during this morning's radio program.

21. COMMISSION INITIATIVES.

With the concurrence of the Commission, Commissioner Bronson directed staff to review the Resolution submitted by the Valley View Subdivision residents, dated July 10, 2014, and to make a determination if some of the requests are even legally possible and to look at other ways to address the immediate concerns about Valley View park. He asked that staff's focus be on parks as a whole and not simply Valley View park.

With regard to statements made against any development in the nearby Valley View area, Commissioner Bronson commented that it would be inappropriate for this Commission to comment in any way unless there is a proposal that comes forward from a developer. If a developer makes a proposal, they would go through the process of first vetting the proposal before the Planning Advisory Board/Zoning Commission and, regardless of the recommendation the Board makes, it will come before the City Commission. At both the Board and Commission meetings, the public will have an opportunity to comment before being voted on.

Mayor Winters asked Manager Doyon to follow up on Mr. Gessaman's comments regarding the Visitor Center merchandise.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Jones moved, seconded by Commissioner Kelly, to adjourn the regular meeting of August 5, 2014, at 8:56 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: August 19, 2014