

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE – Knights of Columbus

MOMENT OF SILENCE

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

AGENDA APPROVAL: No changes were proposed by the City Manager or City Commission.

Mayor Winters invited Jennie Gresham to the podium to discuss a project she is involved with.

Jennie Gresham, 3009 5th Avenue South, 8th grade student at East Middle School, read a letter to the Commission regarding the East Giver's Club fundraising effort for the March of Dimes. Mayor Winters and Commissioners Bronson, Jones, Burow and Kelly accepted her donation challenge.

PRESENTATION: The Certificate of Achievement for Excellence in Financial Reporting was presented to Fiscal Services Director Melissa Kinzler.

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

NEIGHBORHOOD COUNCILS

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

There were no miscellaneous reports and announcements from Neighborhood Council representatives.

CONSENT AGENDA.

2. Minutes, May 5, 2015, Commission meeting.
3. Total Expenditures of \$2,009,848 for the period of April 14 through May 6, 2015, to include claims over \$5,000, in the amount of \$1,772,195.
4. Contracts list.
5. Approve annual contract bid award to supply asphaltic concrete material to Great Falls Sand and Gravel, Inc. in the amount of \$747,750.

6. Approve final payment in the amount of \$14,493.51 for the 22nd Avenue South Detention Pond and Miscellaneous Storm Drain Extensions to United Materials of Great Falls, Inc. and the State Miscellaneous Tax Division. **OF 1554.1**

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

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

Commissioner Burow made inquiry about the cost of Item 4D, an agreement to replace the roof on the Gibson Park bathroom and connecting building.

Park and Recreation Director Joe Petrella responded that three bids were received. The bid amount for metal roofing was lower in one case than a bid submitted for asphalt roofing. Metal roofing has a longer life span, is lightweight, is better in extreme weather, and is environmentally friendly.

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

Ron Gessaman, 1006 36th Avenue NE, referred to Item 2, and recalled the Mayor reading only one proclamation. Mayor Winters responded that he originally read the Peace Officers' Memorial Day/National Police Week proclamation at an event and Commissioner Jones read it again at the meeting.

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

Motion carried 5-0.

BOARDS & COMMISSIONS

7. REAPPOINTMENTS, HISTORIC PRESERVATION ADVISORY COMMISSION.

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint Carole Ann Clark and Sandra French to three-year terms through April 30, 2018, to the Historic Preservation Advisory Commission.

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.

8. REAPPOINTMENT, HISTORIC PRESERVATION ADVISORY COMMISSION.

Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission reappoint Joseph Boyle to a five-year term through June 30, 2020, to the Great Falls Housing Authority Board.

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.

9. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

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

PUBLIC HEARINGS

10. **2016-2020 CONSOLIDATED PLAN.**

Planning and Community Development Director Craig Raymond reported that this item is a request to conduct a public hearing to receive testimony from interested citizens regarding the Annual Action Plan and the 5-Year Consolidated Plan.

The Consolidated Plan is a 5-year planning document which contemplates community needs, housing market demands, demographic information and other related data. The purpose of the document is to compile all this information and develop goals and a plan to address those needs of the community for the next five years with CDBG funds.

The Annual Action Plan is what the City plans on doing with its CDBG allocation for the coming year. It's very specific as to what projects the Community Development Council recommends the City Commission approve funding for.

It is anticipated that the City Commission will take final action on the Consolidated Plan and Annual Action Plan on June 2, 2015, after the 30-day comment period has expired.

Mayor Winters declared the public hearing open.

No one spoke in support of or in opposition to the 2016-2020 Consolidated Plan.

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

Commissioner Burow moved, seconded by Commissioner Kelly, that the City Commission close the public hearing and schedule action on the Final Consolidated Plan which includes the 2015/2016 Annual Action Plan for June 2, 2015.

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

Motion carried 5-0.

11. **ORDINANCE 3130, AN ORDINANCE AMENDING TITLE 17, CHAPTER 68 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS PERTAINING TO PROCEDURES AND STANDARDS FOR PARK LAND DEDICATION OR PAYMENT IN LIEU THEREOF.**

Planning and Community Development Director Craig Raymond reported that this item is a request to conduct a public hearing on Ordinance 3130 for implementation of Mont. Code Annot. § 76-3-621 which requires park land dedications or the payment in-lieu of dedication.

The ordinance also allows for the establishment of annual park maintenance fees that may be assessed on lots created during the subdivision process. These fees may be established and included into Improvement Agreements that coincide with the subdivision process and would necessarily be approved by the City Commission prior to any fee being charged.

This addition to the Official Code of the City of Great Falls will make one more element of the subdivision process clearer and more predictable which is a benefit to the development community.

Mayor Winters declared the public hearing open.

Speaking in favor of Ordinance 3130 was:

Ron Gessaman, 1006 36th Avenue NE, referred to Exhibit A of Ordinance 3130 and expressed concern about section 17.68.080(F) pertaining to three acres; and section 17.68.080(C) pertaining to 3/8 mile park buffer.

No one spoke in opposition to Ordinance 3130.

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

Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission adopt Ordinance 3130 with amendment to 17.68.080(B)(i).

Commissioner Bronson explained the amendment to said section to read:

An applicant who wishes to use this exception must present a detailed plan for the development and use of the private park or parks, including the phasing of park development, if that is proposed, as well as a proposed mechanism for perpetual maintenance of private parks ~~in the long run~~.

City Attorney Sara Sexe noted the correction to the date in the legislative history of Exhibit A to Ordinance 3130.

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

Motion carried 5-0.

OLD BUSINESS**NEW BUSINESS****12. FUNDING APPLICATION – CENTRAL MONTANA AGRICULTURAL AND TECHNOLOGY PARK TAX INCREMENT FINANCING INDUSTRIAL DISTRICT (CMATP TIFID) – GREAT BEAR SUBDIVISION INFRASTRUCTURE IMPROVEMENTS.**

Planning and Community Development Director Craig Raymond reported that this item is a request to approve the use of Tax Increment Financing (TIF) funds from the Central Montana Agricultural and Technology Park Tax Increment Financing District (CMATP TIFID). Joe Stanek of Dali, LLC requested that the City reimburse approximately \$383,000 for public improvements in the Great Bear Subdivision. These improvements include the construction of the dedicated public right-of-way, Innovation Street, including paving, curb and gutter, as well as required boulevard landscaping and irrigation. The water main will be extended the length of Innovation Street, and gas, electric, and fiber optic lines will be extended along Innovation Street and the north side of Great Bear Avenue.

When this project is completed all 12 lots in the Great Bear Subdivision No. 2 - Phase I & II will have all the necessary infrastructure and services available for new development, increasing its marketability. These lots can fulfill the needs of small industrial businesses, such as contractor yards. Dali, LLC anticipates the creation of 36-60 permanent jobs.

In evaluating the request, City staff considered this specific request but also kept in mind that there are major and important projects that are needed in the near future including, but not limited to, a large basin storm water mitigation project. With that in mind, staff recommends that the Commission agree to fund roughly half of the requested amount not to exceed \$191,653 so that there will be funds available for future priority projects and, at the same time, have a significant impact to the success of the Great Bear Industrial Park.

In conformance with state regulations, the City adopted the Central Montana Agriculture and Technology Park Comprehensive Development Plan in 2013 which provides for the considerations and goals for the TIF district in relation to the community, as well as outlining a general process for identifying projects for expenditure of TIF funds. Staff has determined the work is eligible and appropriate, and that there is adequate funding in the TIF district to fund the project

At its regularly scheduled meeting on April 28, 2015, the Planning Advisory Board recommended that the City Commission approve the development agreement, proposed project and associated funding from the Central Montana Agricultural and Technology Park Tax Increment Financing Industrial District. Staff also recommends approval of the proposed TIF funding request.

Commissioner Bronson moved, seconded by Commissioner Kelly, that the City Commission approve the Development Agreement, and approve that the City reimburse the Developer the costs of the infrastructure improvements (as defined in the Development Agreement) in

an amount equal to 50% of the actual cost of the infrastructure improvements, provided that such reimbursement amount shall not exceed \$191,653 in the aggregate.

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

Jolene Bach, Great Falls Development Authority, 300 Central Avenue, spoke in support of the use of TIF district funding and noted that Great Falls Development Authority is excited to see more heavy industrial zoned lots with water and sewer on the market.

Ron Gessaman, 1006 36th Avenue NE, noted his opposition to TIFs, but support of this private developer's request for TIF reimbursement. He compared this project to the AgriTech Park.

Deputy City Manager Jennifer Reichelt responded and clarified the difference between the two parks. In this particular Development Agreement, Mr. Stanek will submit receipts and will be paid back with cash because there is actual increment already being generated in this TIF district. The Development Agreement also does not preclude Mr. Stanek from submitting a future application for reimbursement. There is also a stormwater project that has to be completed. Enough cash had to be left in the TIF district to be able to issue a bond for that project.

What staff has been talking about with regard to the AgriTech Park is future dollars that don't exist yet. It's future increment, money that will be generated over the next 15-20 years.

Commissioner Burow also noted the different set of circumstances/structure of the two projects.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

PETITIONS AND COMMUNICATIONS

13. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. Sarah Milling**, East Middle School, 4040 Central Avenue, commented that she is Jennie Gresham's English teacher. She introduced Jennie's proud parents, Craig and Denise Gresham.
- B. Ron Gessaman**, 1006 36th Avenue NE, discussed an article in the *Tribune* regarding the Highwood Generating Station. He concluded that it will be "old news" when everyone that was involved in the Highwood Generating Station is no longer in office.
- C. John Hubbard**, 615 7th Avenue South, discussed power rates and state law regarding deceptive practices, obstruction of justice and due process.

CITY MANAGER

14. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Doyon reminded everyone that City offices are closed for Memorial Day. He further reported that he has started working on the budget and there will be more discussion on some of the items the Commission heard tonight at the work session.

CITY COMMISSION

15. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Kelly congratulated Director Kinzler and her staff for receiving the Certificate of Achievement for Excellence in Financial Reporting.

Mayor Winters reported that the Commission's performance evaluation today of Manager Doyon was favorable, and he thanked him for doing a good job.

Commissioner Bronson commented on the wonderful job the Historic Preservation Advisory Commission does for the community.

Mayor Winters paid tribute to John "Jack" Bulen, who passed away on March 4, 2015. Mr. Bulen was a former mayor of the City of Great Falls from 1977-1979.

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 Jones, to adjourn the regular meeting of May 19, 2015, at 7:50 p.m.**

Motion carried 5-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: June 2, 2015