

Regular City Commission Meeting

Mayor Winters presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL: City Commissioners present: Michael Winters, Bill Bronson, Bob Jones and Bob Kelly. Commissioner Burow was excused. Also present were the City Manager and Deputy City Manager; City Attorney; Directors of Planning and Community Development, and Public Works; Police Chief; and the City Clerk.

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

**** 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, April 21, 2015, Port Authority meeting.
3. Minutes, May 19, 2015, Special Commission meeting.
4. Minutes, May 19, 2015, Commission meeting.
5. Total Expenditures of \$1,779,652 for the period of May 2 - 20, 2015, to include claims over \$5,000, in the amount of \$1,536,005.
6. Contracts list.
7. Set public hearing for July 7, 2015, for the Sunburst Unlimited Use Agreement.
8. Award bid to Thatcher Company of Montana, Inc. for the purchase of liquid aluminum sulfate in the amount of \$314.44 per dry ton for FY 2015/2016.
9. Award bid to DPC Industries, Inc. for the purchase of anhydrous ammonia in the amount of \$1.50 per pound for FY 2015/2016.

10. Award bid to DPC Industries, Inc. for the purchase of liquid chlorine in the amount of \$588 per ton for FY 2015/2016.
11. Award construction contract in the amount of \$1,478,787 to Phillips Construction, LLC for the Southeast Great Falls Wastewater Improvements. **OF 1451.2**
12. Approve final payment for the 33rd Street Surge Tank Demolition and Replacement (Base Bid C) in the amount of \$990 to Shearer & Associates, Inc. and \$10 to the State Miscellaneous Tax Division. **OF 1625.1**

Commissioner Kelly 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 or comments from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 4-0.

BOARDS & COMMISSIONS

13. **REAPPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT BOARD OF TRUSTEES.**

Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission reappoint Andrew Ferrin, Garry Hackett and Sheila Rice to the Business Improvement District Board of Trustees for four-year terms expiring June 30, 2019.

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

Commissioner Kelly thanked Messrs. Ferrin and Hackett and Ms. Rice for their service.

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

Motion carried 4-0.

14. **REAPPOINTMENT, LIBRARY BOARD.**

Commissioner Jones moved, seconded by Commissioner Kelly, that the City Commission reappoint Mitch Tropila to a five-year term through June 30, 2020, to the Library 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 4-0.

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

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

PUBLIC HEARINGS

OLD BUSINESS

16. **2016-2020 HUD CONSOLIDATED PLAN INCLUDING 2015/2016 ANNUAL ACTION PLAN.**

Planning and Community Development Director Craig Raymond reported that this is the final action for the adoption of the five-year Consolidated Plan which also includes the Annual Action Plan that provides for the allocation of 2015/2016 CDBG and HOME funding.

The Consolidated Plan is essentially a five 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 of 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 essentially 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. The total funds being allocated for the coming year is approximately \$715,840. These funds are allocated into Affordable Housing, Economic Development, Public Facility Improvement, and Public Service activities.

Now that the required 30-day public comment period is closed and no comments having been received, and the Commission having conducted a public hearing on May 19, 2015, the Commission can now take final action on the five-year Consolidated Plan which includes the 2015/2016 Annual Action Plan for allocation of CDBG and HOME funds and authorize submittal to the U.S. Department of Housing and Urban Development.

Commissioner Kelly moved, seconded by Commissioner Bronson, that the City Commission adopt the 2016-2020 HUD Consolidated Plan including the 2015/2016 Annual Action Plan as recommended.

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

Commissioners Kelly and Bronson expressed appreciation to the Community Development Council and Planning and Community Development staff for the work involved in getting a good plan and recommendations to the Commission.

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

Ron Gessaman, 1006 36th Avenue NE, was surprised at the allocation amount for program administration. He would like to see it demonstrated how this allocation affects low income people.

Director Raymond responded that a report is published annually that shows exactly where the

money goes and how it was spent. The report is available to the public and is also provided to HUD for review.

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

Motion carried 4-0.

NEW BUSINESS

ORDINANCES/RESOLUTIONS

17. ORDINANCE 3131, ASSIGNING A ZONING CLASSIFICATION OF I-2 HEAVY INDUSTRIAL DISTRICT TO CHS INC., ADDRESSED AS 5325 10TH AVENUE NORTH.

Planning and Community Development Director Craig Raymond reported that this item is a request to set a public hearing for July 7, 2015, to consider Ordinance 3131 that would assign a zoning classification of I-2 Heavy Industrial District upon annexation into the City. The applicant, CHS Inc., is requesting annexation of ±13.796 acres from Cascade County into the City of Great Falls for its existing CHS Nutrition operation as an agricultural livestock feed processing plant. The applicant is making the request in order to connect to the City water and sewer system.

CHS, Inc. currently produces approximately 70,000 tons of finished cattle, poultry, equine and pork feeds per year, averaging 6,400 tons per month, with 2,000 tons being bagged feed and the remainder going out in bulk truck. Most of the storage is in bagged feed with raw feed ingredients (molasses, mineral oil, canola oil, wheat and barley and other ingredients) stored on site. There are internal, as well as six external, ingredient bins. The mill itself is 120 feet to the roof. CHS, Inc. is expanding to accommodate the region's feed needs, covering an approximate 300 mile radius around the city. There are plans currently being developed for this area's growing needs.

The subject property is currently located in Cascade County and is zoned I-1 Light Industrial. North of the subject property is railroad right-of-way and a City I-2 Heavy Industrial district along River Drive. To the east across 57th Street North is Malmstrom Air Force Base. Also in the County, to the west is an industrial corridor along 10th Avenue North. To the south, the subject property fronts 10th Avenue North, and the portion of the right-of-way abutting the subject property is in the City limits, as well as the Siebel Soccer Park.

At the conclusion of a public hearing held on May 12, 2015, the Planning Advisory Board recommended the City Commission approve annexation of the subject property addressed as 5325 10th Avenue North, and the Zoning Commission approved assigning a zoning classification of I-2 Heavy Industrial district upon annexation into the City, subject to fulfillment of the conditions of approval.

Commissioner Jones moved, seconded by Commissioner Kelly, that the City Commission accept Ordinance 3131 on first reading and set a public hearing for July 7, 2015.

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, requested clarification before the public hearing whether CHS is or is not planning on expanding. He would also prefer a zoning designation of I-1, with a special use permit due to height, rather than I-2.

Brett Doney, Great Falls Development Authority, 300 Central Avenue, commented that the recommended I-2 zoning is appropriate due to City zoning requirements. He hopes there will be future expansion because it would mean our agricultural production in the golden triangle is increasing.

Mike Witsoe, 510 11th Street South, pointed out a typographical error in the address on the agenda for this item.

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

Motion carried 4-0.

18. THANIEL ADDITION MAJOR SUBDIVISION.

A. ORDINANCE 3132, ASSIGNING ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT TO THANIEL ADDITION MAJOR SUBDIVISION.

B. PRELIMINARY PLAT AND ACCOMPANYING FINDINGS OF FACT.

Planning and Community Development Director Craig Raymond report that this item is a request to set a public hearing for July 7, 2015, to consider Ordinance 3132 that would assign initial zoning of R-3 Single Family High Density upon annexation into the City. Part of the single-family residential development immediately east of the subject property is still under construction, with many of the homes built within the past five to seven years. This is a steady growth area for the City of Great Falls and, with new jobs being created with some large scale new businesses such as ADF International Inc., there has been a continued need for traditional style single-family housing stock.

The owner is requesting a preliminary plat of the subject property, which would subdivide the property into 90 lots consisting of 88 lots for single-family residences, one lot for the dedication of parkland, and one large remaining lot that would be available for future subdivision and development. The applicant submitted a draft Preliminary Plat, which shows the layout for the proposed subdivision.

The subject property consists of ±155 acres. The owner is proposing subdivision of ±28 acres along the southeast corner of the subject property into 88 lots, which creates a density of 3.126 dwelling units per acre. The Owner is also dedicating approximately 17.124 acres for parkland which will include a storm water detention pond. The remaining ±110.396 acres of property will continue to be used for agricultural purposes until future development occurs.

At the conclusion of a public hearing held on May 12, 2015, the Planning Advisory Board recommended the City Commission approve the Preliminary Plat of Thaniel Addition Major Subdivision, and the Zoning Commission approved assigning a zoning classification of R-3 Single-Family High Density District upon annexation to the City. The Planning Advisory Board also recommended annexation of the subject property, all subject to fulfillment of the Conditions of Approval.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3132 on first reading and set a public hearing for July 7, 2015.

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.

Commissioner Kelly moved, seconded by Commissioner Jones, that the City Commission approve the Preliminary Plat of Thaniel Addition Major Subdivision and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Advisory Board.

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

Commissioner Bronson inquired if the conditions of approval addressed the concerns of the Sun River Watershed Group.

Director Raymond noted that City staff will be meeting with the Sun River Watershed Group throughout the process to address storm water concerns.

Commissioner Bronson inquired if streets would align with the streets in the West Ridge Subdivision.

Director Raymond responded affirmatively.

Commissioner Bronson questioned whether this project would be setting precedent where any developer would want to try to develop in the County first in order to lower the cost of development and then subsequently anticipate or expect that the property will be annexed into the City at a lower cost.

Director Raymond noted that this methodology was previously used in the Castle Pines development. He explained that, per an agreement with NeighborWorks, an hourly rate for inspection services will be charged for items that the State does not inspect as set forth in the fee resolution adopted by the Commission.

Commissioner Kelly noted that he sits on the Board for NeighborWorks and, as such, will recuse himself from voting on this matter when it comes back before the Commission.

Mayor Winters expressed traffic impact concerns to 6th Street NW, as well as emergency

responder access to service the area.

Director Raymond responded that, pursuant to the conditions of approval, a traffic study will be conducted to answer those questions.

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

Neil Fortier, NeighborWorks Great Falls, 509 1st Avenue South, commented that preliminary approval was received today from USDA Rural Development that all of the plans meet the 2012 building codes, as well as have been reviewed by a local engineer to meet the 2012 building codes. He clarified that what is being proposed is 10 homes per year. The traffic analysis indicates that there will not be a substantial impact to the roads in the local area.

Ron Gessaman, 1006 36th Avenue NE, commented there was also concern about traffic on 2nd Street NE, which could be magnified if Skyline School opens as an elementary school.

Mike Witsoe, 510 11th Street South, commented he would like additional time to review this project and have questions answered.

Brett Doney, NeighborWorks Great Falls Board Treasurer, commented that the long term partnership with the City has enabled dozens of Great Falls families who couldn't afford home ownership the opportunity for home ownership. It is a unique situation to fit into the parameters of the USDA Program. Families put in thousands of hours of sweat equity as their down payment for the houses. It has been difficult to find land that fits for this program and concluded that they are under a tight timeframe.

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

Motion carried 3-1 (Mayor Winters dissenting).

PETITIONS AND COMMUNICATIONS

19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

- A. Ron Gessaman**, 1006 36th Avenue NE, noted it was election season. He quoted from Martin O'Malley's recent candidacy for President announcement, and concluded that what is wrong with this country is what is wrong with Great Falls.
- B. John Hubbard**, 615 7th Avenue South, discussed state statutes regarding unprofessional conduct, misappropriation of tax money, conspiracy and obstruction of justice.
- C. Mike Witsoe**, 510 11th Street South, made announcements of upcoming local events. He provided his phone number and requested donations to file for mayor.

CITY MANAGER

20. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

City Manager Doyon reported that he is working on the budget and it will be before the Commission in the coming weeks.

Director Rearden discussed the water main project by Oddfellow's Park and Broadwater Bay and explained why water restrictions were requested of residents on the north and west sides of the river.

City Attorney Sexe recognized Deputy Prosecutor Cassidy Blomgren and Great Falls Police Officer Kevin Supalla for recently receiving awards from the DUI Task Force.

CITY COMMISSION

21. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Commissioner Kelly inquired if there was anything the City could do to adjust the traffic lights to mitigate traffic congestion due to closure of the Central West Bridge.

Director Rearden responded that City staff has made numerous suggestions to the Montana Department of Transportation (MDT) to modify some signals and have not yet heard back. The City performs the work, maintenance and setting of the signals but only under the direction of MDT.

Commissioner Kelly commended Chief Bowen and Police Department staff for their quick and professional actions during a recent event that caused shelter in place status at three schools.

Mayor Winters added that he was informed today by MDT that the Central West Bridge could possibly be open by Thursday.

22. COMMISSION INITIATIVES.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Kelly moved, seconded by Commissioner Jones, to adjourn the regular meeting of June 2, 2015, at 8:08 p.m.**

Motion carried 4-0.

Mayor Michael J. Winters

City Clerk Lisa Kunz

Minutes Approved: June 16, 2015